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The Tradition of Nitisastras

India has a long tradition of political speculations beginning right from the *Vedas.* Science of polity as an independent study was, although, not systematically persued in the period of *Vedas* and *Sūtras,* a number of scattered passages throw considerable light, sometimes dim sometimes clear, on the theory and practice of government in the contemporary times.[1] The science of polity as a specialised subject appears to develop about seventh or eighth century B C as we find a number of references to earlier political thinkers in Kautilya's *Arthśāstra* and *Mahābhārata.* These two works mention almost the same names indicating the existence and familiarity of some independent works on polity which were, however, not available to the later generations. It appears that, like other sciences, 'there were several schools among the students of the science of polity as well' claiming respectively Manu, Brihaspati, Uśanā (Śukra), Brahmā, Śiva or Indra etc. as their founder.[2]

With the *Śāntiparva* of *Mahābhārata* and the *Arthaśāstra* of Kautilya we find evidence of books written on the polity as a special study. Almost all the aspects of polity are discussed comprehensively in these two books. These books are joined by *Smṛitis* ascribed to Manu, Yājñavalkya, Nārada and others. These books discuss all the aspects of Socio-political and religious life with separate chapters on *Rājadharma* or *Daṇḍanīti* discussing duties and functions of the king and his various officers, rules of civil and criminal law as well as inter-state relations etc. There is great controversy on the question of the date of compilation of these treatises but a general thesis ascribing the same to the period from 400 B. C. to 200 A. D. is generally acceptable. *Arthaśāstra*

is now generally accepted as written by Kautilya or Chan-kya about the last quarter of fourth century B. C. during the reign of Chandragupta Maurya.[3]

This *Arthaśāstra-Smṛiti* tradition is generally followed by almost all the writers on polity of succeeding ages. A number of *Nītigranthas* were written during the period extending from fifth century A. D. to the seventeenth century A. D. Some of these books are well-known and deserve comprehensive study. The *Nītisāra* of Kāmandaka, *Nītivākyamṛitam* of Somadevasūri, *Śukranītisāra*, *Bārhaspatya Arthaśāstra*, the *Purāṇas* (especially the *Agni Purāṇa*), *Yuktikalpataru* of Bhoja, *Abhilāshitārthachintāmani* and *Manasollāsa* of Someśvara, *Rājanītikalpataru* of Lakshmidhara, *Rājanītiratnākara* of Chandeśwara, *Rājanītikāṇḍa* of Devana-Bhatta, *Amuktamalyada* of Krishnadevaraya, *Nītimayūkha* of Nilakantha and *Rājanītiprakāsh* of Mitramiśra are some well-known discussions on polity. Some of these are independent political studies while some others like *Abhilāshitārthachintāmani* devote some chapters or a section for discussing the different aspects of the science of the polity. Most of the above-mentioned books do not show originality and are more or less colourless summary of the earlier political thoughts but the treatises like *Kāmandakīya Nītisāra* and *Śukranītisāra* are marked with some originality and independent approach on many topics, although broadly following the *Arthaśāstra-Smṛiti* tradition.[4]

It is to be noted that a number of terms like *Rāja Dharma*, *Rājaśāstra*, *Daṇḍanīti*, *Arthaśāstra* and *Nītiśāstra* have been used by Hindu political thinkers to denote the science of polity. It appears that *Rāja Dharma* or *Rājaśāstra* were [illegible] of Sanskrit literature, perhaps being rele-[illegible] the term *Arthaśāstra* was used [illegible] the former as a term [illegible] the latter. The *Arthaśāstra* of Kautilya [illegible] term. The term *Nītiśāstra* came [illegible]

[illegible]

on various terms could be found in the various works on ancient Indian polity by modern scholars.[5] The term *niti*, however, is derived from the Samskrit root *ni* meaning to lead, carry, bring, convey, take, conduct or to guide, direct or govern. *Niti*, therefore, means guidance, direction, right course, policy and gradually came to connote science of politics or ethics popularly known as *Nitiśāstra*.[6] The books as the science of government or that of ethics or morality were known by *Nitigranthas*.

Significance of Sukranitisara

Śukraniti, with the *Nitisāra* of his predecessor Kāmandaka, is considered as the most significant work on the science of government except the works ascribed to Kautilya, Bhishma (*Rājadharmaparva* of *Śantiparva*) and Manu. It really works as a practical guide-book to the rular and is not limited only to the theoretical discussions It has been pointed out that it supplies some information on Hindu policy not to be found elsewhere. Śukra's views about classification of kings, gradation of various feudatories, minute details about the council of ministers, budgeting of the State's financial resources as well as the army administration give us ample evidence without which the concerned aspects of Hindu polity could not be made clear to the extent these are. The author of *Śukraniti*, broadly following the political tradition of the Hindus exhibits considerable freshness and originality of outlook upon some important political ideas.[7] The work deserves a special study with critical appreciation in order to make the study of Hindu polity as comprehensive as possible.

Scope of Niti

The author of *Śukranitisāra*, unlike the others of his class, does not limit himself or his work only to one separated branch of life. The other *śāstras* tend to deal only with one aspects of human life (and, therefore, their usefulness is restricted)—whereas the *Nitiśāstra* is useful to all and in all cases and is the means for the preservation of human society[8] He considers his *nitiśāstra* as root of the four-fold path of life (*Dharma*, *Artha*, *Kāma*, and *Moksha*) and advi-

ses the ruler to peruse it in order to make himself victorio over enemies, affectionate and conciliatory towards his su jects and well-versed in the arts of statecraft.[9]

Sukranıti compares the needs of the knowledge of *nitiśāst* for the stability of human affairs with that of food for t preservance of physical body. The author, in a bid to est blish the significance of *nitiśāstra* by minimising the same other *Śāstras*, asserts that the other sciences like those grammer, logic, rituals, *mimānsa*, *vedānta* etc are only int llectual exercises (*Budhikaushalam*) of no avail to perso following their ordinary affairs whereas the *nitiśāstra* 'co duces to the desires and interests of all and hence is respe ted and followed by all' and, therefore, is 'indispensable the prince since he is the lord of all men and things.'[10]

The king, therefore, is supposed to study and follow the *nitiśāstra* the absence of which is always dangerous to a king 'like a vessel which leaks' It has been said that the king is responsible for maintenance of *Swadharma* among people and this he could do only by adhering to his own duties which are described in the *nitiśāstra*. Śukra, therefore, asserts that a king, whether he is duly installed or not, should rule his subjects according to *nitiśāstra*.[11]

It is, thus, quite evident that the author of *Śukranīti* does not limit the scope of *nitiśāstra* only to the technical science of polity The whole life is encircled within its scope and the king is supposed to follow the same as he is responsible not only for polity but for the realization of four *purushārthas* by his subjects by ruling according to the dictates of *nīti*.

Sukra, thus, defines *nitiśāstra* 'as a synthetic, comprehensive and generalised science ...

... from other writers of his class who deal only with the technical science of government. Sukra's view is, therefore,

craft but general *nitiśāstra* applicable also to all people and thus 'Politics (or more properly the art of the government) in Śukra's system is not (as in Kāmandaka) an independent branch of knowledge for instruction of kings in statecraft, but is merged in a science of general morals'.[13]

Contents of Sukraniti

Contents of *Śukranīti*, accordingly, are related to all the aspects of human life. Although politics forms the core of the contents, other socio-economic matters are also discussed and a full chapter is devoted to things other than politics.

The work is consisted of four chapters (the fourth one is divided in seven sections or *prakaraṇas* dealing with different aspects of socio-political life) with an appendix or *khila* chapter.

The first chapter primarily deals with the significance of *nitiśāstra*, the duties and functions of the king, the parts of the state, the grades of feudatories and kings and the building of capital with discussions on some auxiliary things The second chapter mainly deals with the duties, functions and qualifications of the various members of the council of ministers and those of crown-prince and the administrative organisation and working including the description of different kinds of officials and state documents etc. plus the behaviour of employees towards the king A description of service rules is a speciality of this chapter. The third chapter is a general one dealing mainly not with statecraft but with the *nitiśāstra* in wider sense which is common to subjects as well as to the kings This chapter is a practical guide of social and interpersonal behaviour to be followed by all. It is interesting to note that some of the verses or their teachings are well-known even today. The verse denying lending of book, money and woman to anybody[14] can be cited for example. The verses dealing giving up shyness in the matter of eating and enjoyment and declaring that wealth makes friends when given out and enemies when not given[15] are popular even in the folk tradition. The fourth chapter is divided in seven sub-sections dealing separately with friend

Modern scholars, however, do not tend to support this view. The present *śukranīti* has borrowed freely from *mahābhārta*, Manu and even Kāmandaka and does not appear to be written before these treatises. The mention of Brahmā or some other God as the originator of *nītiśāstra* is a well-grounded theory adopted by almost all the authors of Hindu tradition. It is always mentioned that Brahmā or some other God propounded a science and a *ṛishi* prepared a treatise on his basis to be followed by others for their benefit. The things and customs described in the *śukranītisāra* tend to point out some known period of history and not support the view that it had been written in the beginning of the world. It is also not possible that a treatise containing ten million *ślokas* was successfully abridged in the 2200 slokas only. There has been a tradition among ancient Hindu authors of remaining anonymous and ascribing the authorship to the gods or *ṛishis*. The author of *śukranīti* appears to be a believer in this tradition. It has also been suggested that some author named Śukra prepared this treatise at some later date.[34] This, however, does not appear to be true as Śukra, claimant of the authorship, is called by all the epithets used for original Śukracārya and asserts that he has prepared an abridged edition of the original *nītiśāstra* spoken by Brahmā himself. This, therefore, is more likely to be true that the real author chose to remain unknown and to ascribe the work to Śukracārya in order to make it more credible.

Date of Compilation

The question of the date of compilation of *śukranītisāra* has been one of the most controversial problems of the history of Sanskrit literature. It has been placed by different scholars in different periods widely ranging from the prechristian era to the nineteenth century down. It is remarkable that no other author on *nītiśāstra* has ever referred to this *śukranīti*, hence nothing could certainly be claimed in this regard. G. Oppert, the first editor of the treatise, has placed it in the period belonging to the '*smṛiti*' and the early epic literature.[35] Dr. V. S. Agrawala ascribes it to the period of the Imperial Guptas on the basis of some similarity of administrative machinery of the Guptas and the same as described in

the fourteenth one. But by the *fourteenth century the muslims* had extended their sway almost over the whole country and were not inhabitating the north-western region only. This makes us conclude that the author of *śukranīti* belongs to twelfth or thirteenth century and the mention of gun-powder should be a later addition.

This conclusion is also supported by some more facts. *Śukranīti* supplies the information that the price of gold was sixteen times that of silver and the same has been stated by *Bhāskarācārya of the twelfth century.*[33] It has also been pointed out that Śukra's enunciation of the principle that the treasury should have a reserve equal to twenty years revenue was obviously followed by Hindu kings in the aforesaid centuries as proved by the accounts of booty received by muslim invaders.[34] *Moreover*, the emphasis more on cavalry than elephantry[35] also indicates a period when horses were proving more helpful in the battle-fields; and this reminds of the period of Turkish invasion. The author of *śukranīti* must have learnt a lesson from the military causes of turkish success in India.[36] To the above, as Dr. Ghoshal argues, 'we may add the striking fact that Śukra's work, though possessing more intrinsic merit than Kāmandaka's *nītisāra*, is not quoted by any of the authors of the great medieval Digests on *rājadharma* and *rājanīti*, while the later by contrast is quoted by *nīlakantha* in his *nītimayūkha* On the other hand it is unthinkable that the author with his usually independent outlook on political ideas lived in the same age as the authors of the Samṛti digests belonging to the fourteenth *and the following centuries with their stereotyped political* nations and conceptions.[37] Similarly, had the auther of *śukranīti* belonged to early nineteenth century, he would certainly have mentioned the Europeans who, by that time, were known all over India and had established their strong basis in East, West and Daccan by subjugating Bengal, Hydrabad, Mysore and the Marathas. Taking all these considerations in view one tends to support Dr. Ghoshal's thesis that 'the *śukranītisāra* is comparatively late work which must be assigned (notwithstanding evident interpolations) to a period not later than the thirteenth century'.[38]

...th's opinion, therefore, does not hold good that ... work of quite late date *Śukranīti* is of no value whatever as evidence for early Indian usage or philosophy.[39] ... are, no doubt, some interpolations and additions of ... dates as in the case with a number of the Hindu *granthas*, but it is not desirable to ignore it altogether in the study of the political philosophy and practices of the Hindu period ... by all means, reflects the general spirit of the same[40] ... existance of interpolations is evident by the fact that the author of *Śukranīti* declares to have abridged the original *Nītiśāstra* in 2200 slokas whereas the available *Śukranīti*, allowing for variations of different manuscripts, contains more than 2500 slokas The interpolations are, no doubt, difficult to be sorted out

Various Editions of Sukranitisara

A number of editions of *Śukranītisāra* have come into light in last hundred years The first modern edition was edited by G Oppert and published by the then Government of Madras in 1882 A D It is followed by editions of Jivānanda Vidyasagar, Venkataswar Press, Hindu Jagut Karyalaya, Pt Gangaprasad Sastri and by the latest Kashi Sanskrit Series edition published in 1961 A D An English translation by Benoy Kumar Sarkar based on Oppert edition was also pu... der sacred Books of the Hindus Series in 1914 ... he edition by Oppert speaks of the manuscripts ... it is based whereas the other ones are silent ... source The Venkateshwara Press edition (with some ... slation by Acharya Mihirachandraji with some ... is followed by D... gs of Jivananda Vidyasagara ... while the same author's monumental work[41] ... The Venkateshwara ... t edition at other places[42] The Venkateshwara ... contains 118 verses less than that of Oppert ... Kashi Sanskrit Series edition by only ... nt study follows the Kashi edition which ... re near to the first edition and its English ...

General References

1. Altekar, A S , State and Government in Ancient India, p 5.
2 Altekar, A. S., State and Government in Ancient India, p. 8.
3. Ghoshal, U N , A History of Indian Political Ideas , Part 4 p. 296-303.
4 Kane, P V., History of Dharamaśāstras, Vol I.
5 Altekar, A S , State and Government in Ancient India , p 1-4.
6 Apte, V S., The Student's Sanskrit-English Dictionary p 300-1.
7. Ghosal, U N , in The Struggle of Empire , p 270
8 *Śukranīti* , 1.4-5
9. *Śukranīti.*, 1 6.
10. *Śukranīti* , 1. 7-12.
11. *Śukranīti* , 1 15, 26-27
12. *Śukranīti* (tr. B. K Sarkar) , p. 2
13 Ghoshal, U N , The Struggle for Empire, p. 271.
14 *Śukranīti*, 3 226.
15 *Śukranīti*, 3. 194-95.
16 Ghosal, U N , The Cultural Heritage of India Vol. II p 464.
17. *Śāntiparva*, 56 29-30, 59 85
18 Kane, P. V , History of Dharmaśāstras, Vol. I, p 36

40 Majumadara, R. C., The Struggle for Empire, p. 285
41. A History of Indian Political Ideas, p 517.
42. The Struggle for Empire, p 284.
43. English translation of B. K Sarkar is generally followed In the cases of the difference of opinion, which are less and of no significance as basic principles, the Venkateshwar edition is also consulted and the majority view among the three is accepted

2

Origin and Nature of the State

ments about the king being 'another form of Vishnu', or about the functional resemblance between the king and the gods, are only analogical and metaphorical, we cannot do away his very definite and exact statement that the king is made out of the particles of eight gods.[23] In the end of the passage dealing with godly attributes of the king this, however, is also suggested that 'as the Moon does not shine well if deprived of one of its parts, so the king does not flourish unless he has all the parts described above'.[24]

It should however, be emphasized that here the king is equivalent to the State only as the sovereign authority and not as the king-in-person who could be a part of the demons if his deeds are unrighteous.[25] It implies that Śukra makes a distinction between the king as a personified symbol of the State sovereignty-which is always divine-and the king as Government who could over-ride the *nīti* and be a part of demons. This aspect of Śukra's polity needs an elaborate discussion which is proposed at a later stage while studying the concept of the divinity of the king

But it should be borne in mind that the deliberations on the theories of the origin of the State are of no practical consequences nowadays The modern social scientists have generally accepted the theory of historical evolution of the State Hence any interest in the theories of the origin of the State is basically of an academic nature It has been rightly remarked, "Theories of origin are always speculative They are *ex post facto* justifications of political reality. While from the scholastic and academic point of view, their detailled discussion may be important for the study of the institution of kingship. It is not the theories of origin which are propounded that are important, but the powers, attributes and functions which they seek to justify or to attack. It is of no importance historically to know whether actual anarchy preceded the establishment of kingship, but the *matsyanyāya* or the fish analogy is of value as demonstrating that according to all schools of Hindu thought, the main duty of the sovereign was to afford protection in the widest sense, and to enable the people to live in a settled society. Equally it is

of no importance from our point of view to know whether the particles of *devas* were given to the king, but the theory is of importance as indicating the attributes which a king should possess. Thus the controversies regarding origin, have significance only in explaining the theory of social obedience and should be viewed only from that point of view.[26] And Śukra's deliberations in this regard undoubtedly imply that while the State like *devas* is widely responsible for the welfare of its subjects, the latter are expected to have total obedience and deep reverence for the sovereign authority in the manner one has for the gods.

Factors of State

The State has been defined by moderan political philosophers as 'a territorial society divided into Government and subjects claiming, within its allotted physical area, a supremacy over all other institutions[27] Four essentials of the State are implied in this definition They are (1) a definite physical territory (2) subjects or population (3) a Government (4) and sovereignty. But according to the political thinkers of ancient India, main constituents of the State are seven. Kautilya names these : (1) *swāmī* (the ruler or king) (2) *amātya* (ministers), (3) *janpad* or *rāstra* (territory including population, (4) *durga* (fort), (5) *kosha* (treasure), (6) *danda* (army) and (7) *mitra* (ally or friend)[28] Almost all the political thinkers in Hindu India accepted this *saptānga* theory with some minor modifications. Manu and other *smṛitis* also follow the same course.

Śukranīti also names the seven constituents of the State. They are Sovereign, the Minister, the Friend, the Treasure, the Country, the Fort and the Army.[29] The *saptānga* idea has been compared with the modern concept of the State-constitution It has been said that the sovereign and the minister a ... ual to ... Government exercising sovereign pc ... I unity Forts and army are ... al and external sovereignty. ... al for ... ntenance of the ... e staff ... on of welfare ... of allies is ... thing but,

tion of its organic unity based upon the principles of integration and differentiation, than was achieved by the older thinkers.[35] *Śukranīti*, therefore, emphasizes the unity and integral functioning of the State-organism and though describing the king as head on the roots, lays equal emphasis on the welfare of the seven limbs as well as the people [36] Just as the branches etc of a tree wither up when its roots decay, so also without the king, the commanders and company (grow powerless) immediately or in the course of time [37]

But this organic theory extends the sphere of the State-activity because 'the central idea of the theory, as Leacock suggests, is to get aside the contrast between the individual and the State by amalgamating them into one [38]

The Sphere of the State

The sphere or the jurisdiction of the State-activity has always been a subject of controversy in political philosophy. *State and society are two different institutions, this implies* that there must be some limit to State-activity. Among the Greeks and ancient and medieval west 'idea of the State embraced the entire life of man in the community, in religion and law, morals, art, culture and science '[40] In the nineteenth century the idea of a Government governing least became popular but the present trend favours increase in State-activity . the modern State is a social service State, a positive State..... .it properly intervenes to uphold social standards, to prevent exploitation and manifest injustice, to remove the needless hazards of the economic struggle and to assure and advance the general interest against the carelessness or selfishness of particular groups.[41] Yet the regular increase in the State-jurisdiction increases tendency of totalitarianism. It, therefore, become educative to know what a pragmatic philosopher like Śukra has to say in this regard.

Śukra does *not discuss this question in theoretical terms* yet some conclusions could be drawn by studying what he expects from the State and the king and what, in his views, makes the State come into existence. It has been suggested 'as *nītiśāstra* is considered to be the spring of *dharma* (virtue), *artha* (wealth), *kāma* (enjoyment) and *moksha* (sal-

as has been argued. 'A large number of small States existed in the Indian sub-continent, and our political thinkers felt that the existence of none could be guaranteed for a longer time unless a proper balance of power was secured by wise alliences. Population as a separate factor should be taken as incorporated in country or territory as it was too evident a truth to be specifically mentioned'.[30]

Organic Theory of the State

Śukranīti, like Kautilya and Manu, describes the State as living organism stating that the seven constituents of the State are its seven limbs.[31] The organic theory of the State compares the different constituents of the State with different limbs of a living organism and the State is taken as a person · the purpose of the whole constitution is to enable the person of the State to express and realize its will, which is different from the individual wills of all individuals, and different from the sum of them.[32] Śukra also describes different constituents of the State as different limbs of a living person. Naming the constituents he not only says in explicit terms that the State or kingdom is an organism of seven limbs but goes on to draw a parallell of these seven constituent elements of the kingdom the king or sovereign is the head, the minister is the eye, the friend is the ear, the treasure is the mouth, the army is the mind, the fort is the arms and area or country is the legs[33] Another analogy for the organic integrity of the State offered in *Śukranīti* is that of a tree whose root is the king . the king is the root of the State, the Councillors are the trunks, the Commanders are the branches, the troops are the leaves and flowers, the subjects are the fruits, and the lands are seeds.[34] Analogies of army with mind and legs with country and fort with arms or lands with seeds and troops with flowers etc. are not clear and comp [illegible] these comparisions should not be [illegible] rstanding of the integral func- [illegible] ould be appreciated. It has been [illegible] ever fanciful might be the analo- [illegible] r in the a[illegible] extracts between the [illegible] the [illegible] well as the [illegible] ob[illegible] apprecia-

and lost goods, disclosure of State secrets, and discussion about the king's demerits. So also you must never even in mind commit the following actions forsaking *swadharma*, untruth, adultry, perjury, forgery, secret acceptance of gifts, realisation of more than the fixed revenue, thieving, violence and enterprise against the master You should never commit violence on anybody in the matter of remuneration, duties or revenues by increasing them through sleight or strength All measurements have been definitely fixed and ascertained by the king. All the subjects should try to be qualified in the performance of meritorious actions When a violence has been committed the agressor must be caught and handed-over (to the State) Those who have let out bulls and other animals must keep them within proper control I will surely destroy by severe punishment those offenders who after hearing these my decrees would act contrary to them. They should always inform the subjects of these laws by the State-drum and also place them in esplanades as written notices [40]

A close analysis of the above list reveals that the jurisdiction of the State-activity was much greater than that of primary duties i e. protection of the people and punishment to the criminals. Economic life appears to come under indirect control of the State as sales and purchases of a number of things without seeking prior permission from the State are held unlawful Not only gambling and drinking but hunting is also restricted perhaps in order to preserve the forests Making of wines and medical practice have to be licensed Similarly, in social and then in family and inter-personal relationships, *Sukraniti* advises the State to intervene : new social regulations are not valid unless approved by the State; lower castes, in order to maintain social amity, are not to be defamed; and anybody trying to create disturbances in family life and inter-personal relations is considered an offender – speaking harsh words even to a slave or servant, what to say of wife and children, amounts to disobeying the king. It has justly been commented, "Here is a mention of all those practices and professions which for public safety, social peace and future interests of the parties concerned should

sations, the ruler should ever carefully peruse it.[12] The two primary functions of the king are protection of people and punishment of offenders and these two cannot be achieved without *[illegible]*.[13] The king is also called 'benefactor' besides being ruler and protector.[14] The King is advised to issue decrees over a number of subjects for the people to follow and the offenders are to be severely punished.

The following laws are to be always promulgated by the king among his subjects towards the slaves and servants, towards the wife and children or towards the disciple no one obeying my command should be harsh and cruel in words. Falsehoods must not be practised by anyone with regard to the system and standard of weights and measurements, currency, extracts, some kinds of metals, *ghee*, honey, milk, fat, oil, ground substances and other things. Nor must writings be forged, bribes be accepted, or the interest of the master consciously damaged. You should never keep screened i. e. give protection to men of wicked activities, thieves, bad characters, malicious and offensive persons as well as other wrong-doers Insult and jokes should never be dealt out towards the parents and other respectable seniors, as well as towards the men of learning and virtuous character Discord must never be created between husband and wife, master and servant, brother and brother, preceptor and pupil as well as between father and son.[15] You must never obstruct the tanks, wells, parks, boundaries or place of hindrances to the use of religious houses, temples and roads, nor must you check (the movement of) poor, the blind and the deformed

Without the permission of the king the following things are not to be done by the subjects—gambling, drinking, hunting, use of arms, sales and *purchases* of cows, elephants, horses, camels, buffaloes, men, immovable *property*, *silver*, gold, jewels, intoxicants and poi..., distillation of wines, the drawing up of deeds ... le, gift, or loan, and medical practice Nor ... r do the following things : serious ... mulgation of new social ...

General References

1. *Śāntiparva* 67. 16-17.
2. *Arthaśāstra* 1.4
3 *Śukranīti* 1.24
4. *Śukranīti* 1 24.
5. *Śukranīti* 1 23
6 *Śāntiparva* 56. 3-4
7 *Mudrārākshasa*, Act I
8 *Arthaśāstra* XV Chap. 1
9. *Śukranīti* 1 4.
10. *Śukranīti* 1.5
11. Sarkar, B K, The cultural Heritage of India Vol. II p 514.
12. *Arthaśāstra* 1 4, also *Mahābhārata* XII 59 78 9
13. Altekar, A. S., State and Goverument in Ancient India p. 29.
14 *Dighanikāya* Vol. III, p 84 6
15. *Aitereya Brāhman* 1 14, also *Taitereya Brāhman* 2.7.2
16. Beniprasad, The theory of Government in Ancient India p 15.
17 *Arthaśāstra* I, 13
18. *Śāntiparva* 59 5-12
19. Manu VII, 3-4
20 *Śukranīti* (tr. by B K Sarkar) 1.141-152
21 *Śukranīti* (tr. by B K Sarkar) 1 187.
22. *Śukranīti* (tr. by B K. Sarkar) 2.426-27
23 Verma, V. P, Studies in Hindu Political Thought and Its Metaphysical Foundations, p. 262
24 *Śukranīti* 1.76.
25. *Śukranīti* 1.86.
26 Panikkar, K M, The Ideas of Sovereignty and State in Ancient India, p 36
27. Laski, H. J., A Grammer of Politics, p 21
28 *Arthaśāstra* 6 1.
29. *Śukranīti* 1 61 and 4.1257-58.
30 Altekar, A. S, State and Government in Ancient India, p 44.
31. Altekar, A S., State and Government in Ancient India, p 44
32. *Śukranīti* 1 61.
33. Beniprasad, The Theory of the State p 223
34. *Śukranīti* 1 62.
35. *Śukranīti* 4. 1257-58.
36. Ghoshal, U N, A History of Indian Political Ideas, p. 506.
37. *Śukranīti*, 4. 1246.
38 *Śukranīti*, 4. 1256
39. Appadorai, A., *The Substance of Politics*, p. 84.

be endorsed by the State, and receive a royal patent, charter a license to testify to their bonafide character. In all these cases the State, according to *śukranītī*, must interfere even on principle of 'individualistic minimum.' However highly philosophers and theorists might praise the principles of let-alone and non-intervention in social affairs, statesmen and pillars of States have uniformally adopted in practice the principles of socialistic interference, and been compelled to enlarge the functions of their States even against their own abstract conceptions The hoary Śukrāchārya and the modern Sidgwick are here on common ground [47] This, however, seems remarkable that in that much a long list, nothing has been said about theological, spiritual and intellectual and aesthetic affairs Does this mean that the author of *śukranīti* is not in favour of curtailing individual liberty outside the sphere of socio-economic activity ? This cannot be called an error because the list is so comprehensive that so little a question as of letting bulls and other animals out is also considered Freedom to worship and intellectual and aesthetic persuits is noteworthy as the ancient and medieval states in west – and the present totalitarian ones also–do not guarantee these liberties The ideas about State's sphere in *śukranīti* are more or less in accordance with *arthaśāstra* which also advocates State-intervention in socio-economic affairs.[48] It could be suggested that State in Hindu political philosophy, and in *śukranīti* also, is the chief promoter of four-fold path of life and thus extends over almost all the spheres of life But this does not mean that it could intervene in any affair like its Christian and Islamic counterparts.

3

Nature of the Government (Kingship)

40 Appadorai, A., The Substance of politics, p 95
41 Appadorai, A , The Substance of Politics, p 104.
42 *Śukranīti*, 1.5
43 *Śukranīti*, 1 4.
44 *Śukranīti*, 1 20
45. "The bond of livil society is torn asunder when the moral relations are disturbed Hence the greatest political offender and the most criminal sinner is he who by his conduct promotes the breach between those who should normally live in amity and peace And *Śukranīti* provides against such offence by the socio-political decrees issued by the king " *Śukranīti* (Tr. B K. Sarkar) p 40
46 *Śukranīti*, 1 292-312
47. *Śukranīti*, (tr by B K Sarkar) p 40-1
48 Sinha, B. D , Readings in Kautilya's Arthaśāstra p. 2

Nature of the Government (Kingship)

The authors of the *arthaśastra* and the *mahābhārata*, although their preference for monarchy is as doubtless as sun, have discussed some aspects of non-monarchical forms of Government as well But it is strange that *śukranīti* does not even take cognizance of any of the non-monarchical or republic governments and the only form of government discussed here is kingship. Someone may offer an argument that as non-monarchical forms of government had ceased to exist and monarchy was the only form that could survive by the time *śukranīti* was compiled, the author of the *śukranīti*, being a pragmatic thinker, saw no use in discussing a thing which had lost even its existence.

Significence of the King

This is but natural that the king is ranked first among the different limbs of the body politic in monarchy. *Śukranīti*, falling in line with Kautilya, Manu and others, has practically equated the king with the whole State, though theoretically he is one of the seven limbs of the state-structure. *Śukranīti*, like others, equates him with head in a body,[1] and thus offers him the most important place in the political structure of the society. He is the ruler, protection and benefactor of the people[2] and has been compared to the helmsman without whom the boat sinks in a sea.[3] He is 'second self of Vishnu'[4] on the earth and is upholder of *dharma*[5] and cause of prosperity of the world.[6]

Śukranīti, differentiating between astronomical and man-based historical cycles and describing king as the cause of historical division of Time, remarks, "Time is divided into several periods, epochs or ages according, in the first place, (to the atmospheric conditions, e. g , moisture and temperature) to rains, cold and heat and (to the astronomical con-

political thinkers Kautilya, Bhishma, Manu and others support this view. Śukra also favours the same idea when he, like Manu, tells that the king is made out of the permanent elements of Indra, Vāyu, Yama, Sun, Fire, Varuna, Moon and Kuvera, and is the lord of both the immovable and movable worlds.[14] He further describes how the various administrative functions of the king are derived from various regents of quarters. Like Indra, the sovereign is able to protect the wealth and possessions. As Vāyu or Air is the spreader (and diffuser) of scents, so the prince is the generator (and cause) of good and evil actions. As the Sun is the dispeller of darkness (and the creator of light) so the king is the founder of religion and destroyer of irreligion. As Yama is the god who punishes (human beings after death) so also the monarch is the punisher of offences (in this world). Like Agni, the prince is the purifier and the enjoyer of all gifts. As Varuna, the god of water, sustains everything by supplying moisture so also the king maintains everybody by his wealth. As the Moon pleases human beings by its rays, so also the king satisfies everybody by his virtues and activities. As the god of wealth protects the jewels of the universe, so the king protects the treasure and possessions of the State. As the Moon does not shine well if deprived of one of its parts, so the king does not flourish unless he has all the parts described above.[15]

This makes it very clear that not only all the functions or obligations of the king but the authority and power to execute these are derived from gods and this is the highest sanction behind king's office as divine authority could not be challenged or disobeyed. In an other extract the same type of sanction derived from divine origin is suggested, 'The ruler has been made by Brahmā a servant of the people, getting his revenue as his remuneration'.[16] This explains that the basis of king's authority is his being the creation of Brahmā. Śukra with Nārada, offers an original explanation for the moral sanction behind king's authority. It appears that Sukra was a staunch believer in the theory of *karma* and re-birth. Only the past actions, according to this theory, are real determinants for this birth. This naturally should

ditions, e.g.) to the movements, shape and nature of the planets; and in the second place to the deeds and activities of men, whether beneficial or hurtful, and great or small. The king is the cause of the setting on foot the customs, usages and movements and hence is the cause or maker of time (i.e. the creator of epochs) If the age or time were the cause (of usages and activities) there could be no virtue in the actors."[7] And, therefore, the lapse from virtue is neither the fault of the Age nor of the subjects but of the king[8] The idea of king as the maker of the Age has been emphasized time and again by Hindu political philosophers. Manu, in an exaggerated estimate of the quantum of the king's influence upon the time-spirit (Zeit-geist') tells that the *krita*, the *treta*, the *dvapara* and the *kali* ages reflect the behaviour of the king[9] Nārad[10] and Gautama[11] support the same view. *Mahābhārata* says with emphasis that it is the king who should undoubtedly be regarded as the maker of the Age-cycle. The *krita*, *treta*, *dvāpar* and *kaliyuga* are all matters of the king In fact, it is the king who is spoken of as *yuga*[12] Śukra here follows the *mahābhārata-smriti* tradition.

Besides being a god on earth and maker of the Age the king has been compared to the benefactor member of the family The king is always expected to prove himself a father to his subjects Śukra makes advances on this theory and compares him not only with father but the mother, preceptor (*guru*) brother and friend as well (and also with Kuvera and Yama in the same extract)[13] This means that Śukra recognizes king's significance not only as a god, or age-maker but as a member of the family

Sanction for King's Authority

The question of the sanctity of king's authority has always been a burning question of political philosophy What makes a king exercise his authority over others ? Why is he to be obeyed ? Should he be revered only because he is mightier among weaker people or has he got some moral sanction for his office and authority ?

The divine origin of the kingship has always been taken as a moral and religious sanction for king's authority by Hindu

The theological classification

The kings, under the first classification, are categorized in two types. The prince, who is virtuous, is a part of the gods. He who is otherwise is a part of the demons, an enemy of *dharma* and oppressor of the subjects.[20] The idea is further elaborated, "The king who is restrained, valorous and skilled in the use of arms and weapons, who is the queller of foes and not independent of *nīti*, who is a man of parts (*gunās*) and has acquired the arts and sciences, who is not an associate of the lower people, who has long views, who respects old men and attends to *nīti*, and who is respected by meritorious men is known to be a part of the gods. The king who is otherwise is a part of the demons and gets hell.[21] The author of *Śukranīti* supplies some examples of the kings like Vaiśravaṇa and Nahusha and Pṛithu and Vena who were rewarded or punished in life and even after death according to their virtues or vices.[22]

Though the kings have been many times termed as virtuous or sinner by Bhishma, Manu and others but Śukra, for the first time draws this clear-cut distinction and dares to go to the extent of calling an unrighteous king a part of demons.

The psychological-philosophical classification

The second classification of the kings is based on the psychological and philosophical tendencies but leads to the same goal. No political thinker other than Śukra has ventured to draw a parallel between the actions of the kings and the three component parts – *gunās* – of the physical reality (the *prakṛti*) as envisaged by *sāmkhya* system of philosophy. *Sāṁkhya* calls the *prakṛti trigunātmaka* – composed of three *gunās* which are named as *sattva*, *rajas* and *tamas*. Broadly, the first stands for purity and refinement; the second is for action and the third, *tamas*, signifies what is stolid and offers resistance. It is believed that not only *prakṛti* but everything that emerges from it is also similarly constituted, for the doctrine maintains that effects are essentially identical with their material cause.[23] The origin of the concept of three gunas has been ascribed to psychological tendencies since the kinds of feeling tone are made the basis of the distinction [24]

means that if a person [illegible] kingship by royal succession [illegible] the [illegible] of his past actions in his previous birth. [illegible] this theory *Śukranīti* declares that King is the ruler, protector and benefactor of the people and acquires his strength by penance. And he is the lord of the earth because of his deeds in the present birth as well as of penance.[17] This has been supported by a generalisation. It is sure that everything happens under the influence of *prāk karma* (past-actions). Hence advice suggesting commission and omission is useless.[18]

This explanation is remarkable because it not only makes the kingship a right but a responsibility as well. The austerities of his previous and this birth make him the king and he is supposed to be austere in this life also so that he can perform his kingly duties righteously. This appears as if due to the austerities of his previous birth he has been spiritually as well as materially promoted. The material promotion makes him a king while the spiritual promotion demands greater austerities so that he could advance more on the path of spirituality by following *rājdharma* or *nītiśāstra*.
This explanation makes it clear that according to the author of the *Śukranīti* the king's authority is derived from his origin which is something different from that of Manu and Bhishma who follow the theory of the divine origin. According to Śukra, king's authority is a reward for his past and present austerities and good deeds and his divinity is also a by-product of this process. Here, Śukra's theory of social order—the theory of *karma* allowing a scope for human freedom—and his theory of king's authority are in total agreement.[19]

accruing out of it accordingly to decide the rank and category of the princes. That ruler is called a *sāmanta* in whose kingdom without oppressing the subjects, an annual revenue from one lakh upto three lacs *krasas* is regularly realized

That ruler is called a *māndalika* whose annual revenue exceeds three lakh *krasas* upto ten lakh. The *rājā* is he whose income exceeds 10 lacs *krasas* upto the twenty lacs The *mahārājā* is he whose income reaches to the fifty lacs The *swarāt* is he whose income exceeds the last upto one crore. The *samrāt* is he whose income goes a crore to ten crores; *virāt*, whose income goes beyond that to the fifty crores and the *Śarvabhauma* is above that and to whom the earth with its seven islands is ever bound [28] Śukra, thus, classifies the princes in eight categories on the basis of revenue.

He fixes also the standard revenue from a village. It is one thousand *krasas* per year.[29] It, accordingly, explains the territorial status of the different categories of the princes. The prince who rules over 100 to 300 villages is *sāmanta* and whose authority extends upto 1000 *grāmas* is to be called *māndalika*. One qualifies to be called a *rājā* if he earns revenue from upto 2000 villages and *mahārājā* upto 5000 villages. The *swarāt* is lord of 5000 to 10,000 villages and one would be called *samrāt* if one rules over 10,000 to one lac villages The prince whose authority extends upto 10 lacs *grāmas* is entitled to be called *virāt* and the whole earth is ever bound to the *sārvabhauma* It is to be noted that a *grāma* is a piece of land whose area is a *cros* whose yield is 1,000 silver *krasa*. This calculation is verified by Śukra himself when he says that a *sāmanta* is governor of 100 *grāmas* and the *swarāt* enjoys the revenue of 10,000 villages.[30]

Śukra also categorizes the governors below the rank of a *sāmant* but they are servants appointed by the king and hence should not be called princes. The differentiation is clear when he asserts that the employees who collects the revenue equal to a *sāmant* are to be called *anusāmant* or undersāmanta. The man who is appointed by a king over 100 villages, a territory equal to that of a *sāmanta*, is called a *nṛi-sāmanta*.[31]

Śukranīti, remarkably, categorizes the kings according to the *guna* prominently manifested in their personality and deeds and in these deeds are reflected the *gunas* through which the *prakṛti* as a person of the king is manifested. Three kinds of kings, therefore, are mentioned, 'there are three kinds of penance, *sāttvika rājasika* and *tāmasika*. The king has his character according to the penance he often performs.[32] The idea has been further elaborated in accordance with the political manifestation of the *gunas*, 'The king who is constant to his own duty and is the protector of his subjects, who performs all the sacrifices and conquers his enemies and who is charitable forbearing and valorous has no attachment to the things of enjoyment and is dispassionate, is called *sāttvika* and attains salvation at death

The king who has the opposite characteristics is *tāmasa* and gets hell at death.

The miserable king who is not compassionate and is mad through passions who is envious and untruthful who has vanity cupidity and attachment for enjoyable things, who practises deceit and villainy who is not the same or uniform in thought speech and action who is fond of picking up quarrels and associates himself with lower people, who is independent of and does not obey *nīti* and who is of an intriguing disposition is called *rājasa* and gets the condition of lower animals or immovable thoughts after death.[36] It has also been suggested that the *sāttvika* belongs to gods, the *rājasika* to men and the *tāmasa* to demons.[37]

These extracts support the view discussed in the preceding section that kingship in Śukra is not a thing of material privileges and enjoyments, it is rather a spir[illegible]

[illegible]

The King as Trustee

It, therefore, seems logical that *śukranīti*, like *mahābhārata*,[36] appears to support the view that preference should be given to the interests of the people by the king. Śukra boldly declares that the State and its treasure are in no way to be considered as personal property of the king; the collection of treasure is for the maintenance of the army and the subjects and for the performance of sacrifices. This leads kings to happiness in this life and hereafter, otherwise to misery. The collection that is made for wife and children as well as for self-enjoyment leads to hell and does not give happiness thereafter.[37] This clearly implies that the king should act as a trustee. *Śukranīti*, therefore, rightly advises the king to act according to the *nītiśāstra* the absence of which is always dangerous like a vessel which leaks.[38] Śukra, being a realist, does not bother much about the rituals of the kingship and declares that, from the very moment a man attains the position of a king through skill, might or valour, no matter whether he is properly anointed and duly installed or not, he should begin to rule his subjects according to *nīti*, being always above board and ever holder of sceptre.[39] It is, therefore, in accordance with the nature of trusteeship that the king is advised to spend money according to the manner indicated in *śukranīti*[40] with the warning that the rulers who do not follow *nīti* are unfortunate and go to hell either through misery or through cupidity.[41]

King and Sovereignty

Sovereignty has been defined and discussed in a varied manner by different political philosophers and it has not been possible to reach any absolute definition. But almost all the definitions – including the liberal ones – tend to indicate that it is the supreme authority in the territory of the State.[42] It is an essential element of the State without which the latter loses its right to rule and make the people obey its orders. Almost all the types of States – varying from the most autocratic to the most liberal ones—possess this without which they cease to exist as a State. Although *śukranīti* does not discuss the sovereignty as a separate ele-

Śukranīti, however, asserts that the revenue should not be earned by unrighteous means. He makes one more classification of the kings on the basis of the righteousness of the revenue collection in three categories according to which 'the best' (*śrestha*) king is he who, by following the practice of the weaver of garlands, protects his subjects, makes the enemies tributaries and increases the treasure by their wealth. The middling (*madhyama*) is he who does this by following the practice of *vaiśya* and the worst (*adhama*) by service and receipts from fines, holy places and lands consecrated to gods.[52] This classification reminds one of the classification done on the basis of three *guṇas* of *sāṁkhya* system and one can dare to conclude that the *guṇas* are reflected even in the system of revenue collection. A number of *nītikāras* have emphasized on the righteousness of the revenue but no one, except Śukra attempts this distinct classification.

The King as Servant

The concept of king as public servant has been highly appreciated by the Hindu political thinkers right from the author of *baudhāyan dharmasūtra*. Taxation has been regarded as the salary of the king for the duties he performs. Śukra, following this tradition, asserts that the king should serve his subjects as a slave against the wages he is paid by them.[53] This is strange that supporting the divine origin of the kingship Śukra, with Bhīshma and Manu, calls the king a master as well as a servant of the people. He declares that the ruler has been made by Brahmā a servant of the people getting his revenue as remuneration.[54] The king thus acquires lordship as his sovereignty is meant for protection of the people as well as servitude of the people who are his payers. It has been rightly observed that the author of *śukranīti* applying Manu's and Bhīshma's doctrine of the creation of the king, conceives the king to be the servant as well as master of the people by divine ordination. On the one hand, we are told that the king is divinely charged with the service of the people in return for taxation, and on the other hand, we read that he is divinely entrusted with authority over them for the purpose of their protection.[55]

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ty and its political counterpart. Naturally,
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, the symbol of the 'desires and interests of
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the people if the former be an enemy of virtue,
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obey the dictates of legal sovereign in whom
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raniti appears to support the views that the ulti-
reignty resides in the people This idea has been
pular sovereignty' by modern writers The suppor-
is idea argue that sovereignty had originally belon-
ie people and they could not lose it by prescription
fact, never had alienated it to a monarch.[62]

ty idea of 'popular sovereignty' is, however, very
and the formulated will of the people, if possible,
be without any legal validity if it is not expressed
ugh constitutional channels Hence, it may be argued,
idea of 'popular sovereignty' punishing the 'political
reign' is not valid. But we are not to forget that what
a has written is supposed to serve the purpose of a
stitutional law for the State that follows it And the only
istic remedy in a monarchy could be nothing but to
rt or dethrone the ruler who, ignoring all good advices,
t according to the *nitiśāstra*. It, therefore, appears
onable to draw that sovereignty in *śukranīti* is a
concept The legal sovereignty – *nitiśāstra* – is an
of popular sovereignty and the king—politi-
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ment of the State but this should not mean that some ideas about it could not be drawn. Sovereignty as a separate element has not been discussed at length even in the whole of Hindu political literature as it was to the Hindus a composite concept. And the fact that the State had essentially an administering character tended to lessen the theoretical pretentions of Hindu sovereigns.[42]

Śukranīti tends to favour simultaneously different ideas of sovereignty and one may get confused without a keen analysis. Being a divine creation king should naturally be vested with absolute sovereignty and *śukranīti* declares, 'The prince is the cause of time and of the good and evil practices.' By a terrible use of his engine of sovereignty he should maintain the subjects each in his sphere.[43] The king has been called the root of the State-tree.[45] *Danda* and *swāmitva* are described as attributes of the king[46] and he is advised not to confer his *swāmitva* completely even upon his own son while he himself is living.[47] This clearly implies that sovereignty vests fully in the king.

But the king, although recognized as a sovereign, is supposed to act strictly according to the dictates of *nītiśāstra* to supply himself as well as the subjects with *trivarga* or virtue, wealth and enjoyments, otherwise he destroys both.[48] This is remarkable that *śukranīti*, like some modern thinkers, asserts that law or *nītiśāstra* 'conduces to the desires and interests of all and hence is respected and followed by all. It is also indispensable to the prince since he is the lord of all men and things.'[49] The term 'desires and interests of all' (*sarvabhishkaram*) is to be compared with a modern thinker's idea when he says that sovereignty 'is the will of the nation organised in the State.'[50] It appears that while the political sovereignty *de facto* and *de jure* both lie, according to Sukra, in the king, the legal sovereignty is vested in the *nītiśāstra* or *dharmaśāstra*. This view is further supported by the fact that king is nowhere mentioned as a law-maker and is always expected to follow the dictates of *nītiśāstra*. This distinction, therefore, may be made that while the legal sovereignty is imagined to be an attribute of the *nītiśāstra*, the king is the real political sovereign.

So far the king is concerned Śukra advises him to act the lord as well as the servant of the people[41] The king is advised to protect the interests of the subjects; otherwise he would be a sinner who would lose his sovereignty receiving the fruits of begging, slavery and poverty and could even be ruined and killed by the gods[42]

Coercive authority of the king

Śukranīti asks a remarkable question: Can anybody be called a hero who punishes his own subjects ? It appears that the author here is not in favour of the punishment to the subjects and yet it is again and again asserted by the same author that it is the fear of punishment meted out by the king that each man follows his own duty and the king should, therefore, make the subjects perform their *dharma* by the use of his terrible sceptre.[43] Śukra, perhaps, tends to establish the theory that it is the unrighteous behaviour of the king which is actually responsible for the unrighteousness of the subjects. It is said that the people always follow the behaviour of their king who suffers or enjoys the results of the former as they are his subjects[44] Being himself dutiful the king should appoint the subjects to their own duties as they always approach a king who is religious and authoritative[45] Sukra opines that no good could accrue to a king through punishment of his own subjects as that leads to the destruction of his fame, wealth and virtue. He further states that *satyayuga* had no *daṇḍa* as the king then possessed *dharma* in its entirety, in the *tretā* punishment existed in full as the subjects had vice to quarter of its amount; in *dwāpara daṇḍa* to the extent of three quarter of its amount was practised as virtue existed only to half its extent; in Kali punishment to half its extent is desirable as the subjects are poor and miserable through the wickedness of the king.[46] And here Śukra boldly declares that the king is the maker of the Age as the promulgator of duties and sins; the fault are to be ascribed neither to the age nor to the subjects but to the king.[47] It is evident that *śukranīti* makes the king responsible for the origin of *daṇḍa.*

It is remarkable that Sukra follows Manu and Bhishma in declaring the king the maker of the Age to derive the origin

that alone would justify the resistance on the part of the people. It is not unlikely that this may be partly due to an apprehension that an open and frank discussion of the topic may lead to the encouragement of anarchy.[53]

Mutual relations of the king and his subjects

Discussing the mutual relations of the king and his subjects some verses of *kāmandaka* have been repeated in *śukranīti* showing the necessity of the king to fulfil the needs of the people [54] He is the cause of the prosperity of his subjects and is compared poetically with Moon and a helmsman. He is a source of pleasure to the eyes of people as the Moon to the sea He is a perfect guide without whom the subjects will get into trouble as a boat without helmsman sinks in a sea.[55] By comparing the king performing various duties to the different members of the family, *śukranīti* asserts an emotional and family relationship between the king and his subjects. Like a father he endows his subjects with good qualities; the mother pardons offences and nourishes the children, so also does the king A king should, like a preceptor, be a good adviser to his subjects and teach them good lessons. A king should receive his own share of the people's wealth and produce as a brother takes out his own legal share from the ancestral property. As a friend is the confident and keeper (or protector) of one's self, wife, wealth and secrets so also is the king.[56] It has been emphatically stated that the subjects without the king do not keep to their own duties, but in the same breath the importance of the subjects has also been emphasized by stating that the sovereign also does not flourish in the world without the subjects [57] Even a well-qualified king could sometimes, according to Śukra, remain without the subjects, but subjects, however, vicious, could not be without a king Just as Indrani is never a widow, so also the subjects [58]

The subjects, therefore, are advised to respect the king as if he were a 'second self of Vishnu.[59] They must not involve in any activity that, in anyway, goes against the desires and interests of the king and should always make efforts to please the king [60]

It could be argued that the people's right to dethrone a king is to be exercised only through a popular revolt. Hence it is an extra constitutional one, and that it is not feasible to remove a king who has all the power of the State under him. But, as has been explained people's right to rebel and invite a more virtuous ruler to the throne was a much more feasible and practicable right' in times when governments unlike the modern ones, were not armed with tanks, aeroplanes and atomic bombs and the king did not have a huge and trained regular army. In a monarchy based on heredity and strength of the king no constitutional remedy could be feasible. It is not of a lesser significance that the people are advised not to tolerate the oppression lying down.

Divinity of the king

There is little doubt that *Śukranīti* appears to support the theory of the divine origin of the king. Like Manu and others, the author of the *Śukranīti* asserts that the king is created out of the parts of the eight *dikpālas* – but it is be noted that this creation is a result of the austerity and penances of the king himself[76] He is said to be appointed by Brahmā to serve the people[77] Attributes of Yama and Kuvera – punishment and wealth respectively are particularly emphasized in an other extract[78] The King is supposed to be a 'second self of Vishnu'[79] Some scholars detect here some influence of the doctrine of the incarnation of God[80]

A comparision of Sukra's theme of resemblance between the king and the gods and the Egyptian view regarding the same could be made. The king is supposed to be worshipped like gods: worship king *men-maat-ra* in your breast. The king is the God *sa* (knowledge, taste satiety) who dwells in hearts, whose eyes see into every breast. He is the God *ra* whose rays make us see, who gives light to the two Lands, more than the sun's disc (*aten*). The king is the *ka*; his mouth is abundance: his being is creation. He is the God *khnum* who fashions all flesh, the begetter who begets all men. He is the Goddess *bast* who defends the two lands. Whoever worships him is protected by his hand. (But) he is also the Goddess *sekhmet* (the lion-goddess) who devours the

of *danda* primarily from the ruler's sins. This is accompanied by his theory of the proportionate decrease of *danda* matching man's increasing taint with the ruler's sins—an evident adaptation of the *smṛti* principle of the adjustment of a man's duties in proportion to his diminishing capacities physical as well as other ones[68]

Right to revolt against the king

This is remarkable that some Hindu political philosophers have supported the people's right to revolt against a sinful king *Mahābhārata* goes to the extent of declaring that the king who follows the advice of a vicious minister becomes a destroyer of righteousness and deserves to be killed with all his family by his subjects, indeed he very soon meets with destruction[69] Subjects are authorized to tyrannicide, if no other remedy is left to them[70]

Śukranīti does recognize the people's right to resist the king's sins and to revolt One is advised not to wish for wealth, fame, life and residence at a place where, among other undesirable things, the king is indiscreet[71] King's essence is his virtuousness losing which he forfeits the right to rule—his sovereignty being a reward for his virtues; otherwise, both the king and the people are ruined. It is, therefore, advised that if the king is addicted to immoral ways, people should terrify him by taking the help of virtuous and powerful even if they are enemies[72] This is termed as 'passive resistance' of the people against the evil ruler by some modern writers.[73] Although *Śukranīti* does not expressly call for tyrannicide, it, however, asserts that one should not live for a day where the king is antagonistic and advises the people 'to desert the king as the ruiner of the State if he be an enemy of virtue, morality and strength' and in his place, for the maintenance of the State, the priest is authorized to install someone qualified as the king from the family of the ex-king with the approval of the people[74] This is evidently based on the principle that virtue and good policy are the essential qualifications of the king, failing which he forfeits his title to the obedience of his subjects.[75]

No Hindu political thinker including Śukra, except a solitary example of Nārada, supports the aforesaid view that a wicked and monstrously vicious king is to be taken as a punishment of people's sins and, therefore, should always be tolerated. Śukra, like Bhishma and others, recognizes the people's right to revolt against a vicious king. Even the hereditary right to kingship is not always indefeasible. Kingship is a reward for the good deeds, austerities and penances of the past and present and someone could achieve it without any hereditary right with the only condition that he should follow the *nītiśāstra*. from the very moment a man attains the position of a king through skill, might or valour, no matter whether he is properly anointed and duly installed or not, he should begin to rule his subjects according to *nīti*, being always above board and ever holder of the sceptre.[47] The king is considered a part of Gods only if he is virtuous; otherwise he is a part of the demons, an enemy of *dharma* and oppressor of the subjects

It, therefore, becomes clear that a king, only by being a sovereign, is not to be equated with gods. Śukra, no doubt, expressely declares that a king is made out of the parts of the gods, but in the same breath he does not forget to warn that he loses his divinity as soon as he acts viciously. It appears that Śukra actually favours the idea of the divinity of the kingship as an institution but he is by no means a supporter of the idea of the absolute divinity of the king-in-person. The office of the king and the person of the king are to be separated and only then we could resolve the apparent contradiction of the views expressed in *Śukranīti* regarding the divinity of the king.

enemies of *ra* to him who transgresses his commands.[61] The Egyptian view advocates to worship the king but Śukra does not make any statement like this and only sees a resemblance between the attributes of the king and those of the gods The king is nowhere supposed to be worshipped. But it could not be denied that the king, according to Śukra, is made out of the particles of eight gods.

But the divine origin does not automatically make the king another *god* or a representative of the god on earth whose order—righteous or unrighteous alike—is to be always regarded as a divine desire. *Śukranīti* does make a distinction between a virtuous and a sinful king and the latter is called a part of the demons—if the king loses the godly attributes by his vileful actions he ceases to be a part of Gods.[62] Śukra also asserts that a king failing in his duty of the protection of the people is to be destroyed and sent to hell by the gods [63] A king not following the virtuous path is called *tamas* and he goes to the hell after his death; he is supposed to belong to parts of the demons [64]

Śukranīti, moreover, advises the subjects to desert an unrighteous king; he could even be dethroned and the priest with popular approval, as has been discussed in the preceding section, could install someone qualified from his family in the office of the kingship This, therefore, becomes a question of debate if Śukra really favours the idea of the divinity of the king.

Defining and explaining the divine right of the kings four conditions have been proposed . (1) that the monarchy is a divinely ordained institution; (2) that the hereditary right is indefeasible, (3) that kings are accountable to God alone; (4) and that non-resistance and passive obedience are enjoined by God [65] An explanation of these principles may be sought in the famous address of James I of England to his parliament ' A king can never be monstrously vicious Even if a king is wicked, it means God has sent him as a punishment for people'sins and it is unlawful to shake off the burden which God has laid upon them P:
amendment of their lives are the o
God to relieve them of that heavy

41. *Śukranīti*, 4. VII 429
42 Garner; Political Science and Government, p 166-7
43 Panikkar, K. M, The Ideas of Sovereignty and State in Indian Political Thought, p 67
44. *Śukranīti*, 1 60
45 *Śukranīti*, 5.11.2
46. *Śukranīti*, 1.25-6 and 1 95 also.
47 *Śukranīti*, 5 18
48. *Śukranīti*, 1.67.
49 *Śukranīti*, 1.12.
50 Duguit quoted in Political Science & Government, p 147.
51. *Śukranīti*, 2. 275-76.
52 Garner; Political Science and Government, p 157
53. Altekar, A. S, State and Government in Ancient India, p. 101.
54. Ghoshal, U. N, The Struggle for Empire, p 272
55. *Śukranīti*, 1.64-65
56 *Śukranīti*, 1.178-80
57 *Śukranīti*, 1.66.
58. *Sukranīti*, 1 93-4
59. *Śukranīti*, 2.214.
60 *Śukranīti*, 2.231-37
61. *Śukranīti*, 4.2 130
62. *Śukranīti*, 1.120
63. *Śukranīti*, 1.50.
64 *Śukranīti*, 4.3-4
65 *Śukranīti*, 4.3-8.
66 *Śukranīti*, 4 1.55-7.
67. *Śukranīti*, 4 1.58
68. Ghoshal U. N, A History of Indian Political Ideas, p 504
69. *Śāntiparva* 92 9
70 *Mahābhārata*, 13 86.35-6
71 *Śukranīti*, 3 47.
72 *Śukranīti*, 4 1.113-14.
73. Ghoshal, U. N; A History of Indian Political Ideas, p. 505.
74. *Śukranīti*, 2.275-76.
75 Ghoshal, U. N, A History of Indian Political Ideas, p 505
76. *Śukranīti*, 1.71-78
77. *Śukranīti*, 1.188.
78. *Śukranīti*, 1 80
79 *Śukranīti*, 2.214.
80 Verma, V. P, Studies in Hindu Political Thought and Its Metaphysical Foundations, p 261
81. Moret quoted in the same, p 260.
82. *Śukranīti*, 1 70.
83. *Śukranīti*, 1 120.
84. *Śukranīti*, 1.32, 35.
85 Figgis: The Divine Rights of the Kings, p. 5-6
86. Appadorai, A: Substance of Politics, p 31.
87. *Śukranīti*, 1.26-7

General References

1 *Śukranīti*, 1 61-2
2. *Śukranīti*, 1 20
3 *Śukranīti*, 1 64-65
4 *Śukranīti*, 2 214
5. *Śukranīti*, 4 1 58.
6 *Śukranīti*, 1 64-66
7 *Śukranīti*, 1 21 2
8. *Śukranīti*, 4 1 59
9 Manu IX. 301-2 quoted by Ghoshal in A History of Indian Poli-
cal Ideas, p 164
10 Narada XVIII. 26-33
11 Gautama VIII. 1.11
12 *Śāntiparva* 69 79-98
13 *Śukranīti*, 1 77-80
14 *Sukranīti*, 1 71.
15 *Śukranīti*, 1 72-78
16. *Śukranīti*, 1 188
17. *Śukranīti*, 1 20
18 *Śukranīti*, 1 20
19 Ghosal, U N , A History of Indian Political Ideas, p 501
20 *Śukranīti*, 1 70
21 *Śukranīti*, 1 84-5
22 *Śukranīti*, 1 67-8
23. Hirayana M , The Cultural Heritage of India, Vol III, p 42
24 Indian Philosophy, Vol II, p 263
25 *Śukranīti*, 1 29
26 *Śukranīti*, 1 30-4.
27 *Śukranīti*, 1 35.
28 *Śukranīti*, 1 83-7
29 *Śukranīti*, 1 193
30 *Śukranīti*, 1 191-2
31 *Sukranīti*, 1 189-91
32 *Śukranīti*, 4 II 18-19
33 *Śukranīti*, 4. II 130
34 *Śukranīti*, 1 188.
35 Ghosal, U N , A History of In
36 *Śāntiparva*, 56 45-6
37 *Śukranīti*, 4 II-3-4
38. *Śukranīti*, 1 15
39 *Śukranīti*, 1 26-7
40 *Śukranīti*, 4 VII 422.

4

Practice of the Kingship

4

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Succession to the Kingship

Śukra, like other Hindu thinkers, has a preference for the *Jyeshtha* (the elder) in the line of succession to the kingdom. If there are more than one male members in the king's family, the eldest son deserves to be the king and the others are to be his assistants and auxiliaries—but he would not be eligible to be a king if he, however, is deaf, leprous, dumb, blind or eunuch[1] Manu and others also suggest that the eldest son loses his eligibility if he is blind or mad.[2] *Mahābhārata* also supports this view – *Dhṛtrāshtra*, because of his blindness, had to withdraw in favour of his younger brother Pāndu.

Śukranīti, in the case of the ineligibility of the eldest son of the king, offers a line of candidates for succession. The eldest son, losing the ground, the next to him, i. e., the eldest among others successively – becomes eligible to the throne. Next comes the eldest son's son or the son of his brother. It has been asserted that in the absence of seniors the juniors are heirs to the throne.[3] *Śukranīti* mentions no woman relative of a king as a candidate This clearly shows that he is not in favour of woman kings. Bhishma appears more liberal as he allows the daughters of the kings who have died without male issues to be appointed as kings[4]

This problem has again been discussed while pondering over the candidature for crown – prince's office. The ruler is advised to select the eldest offspring of the legally married wife who can perform the tasks of the State without idleness He may select as crown-prince his uncle younger than himself or younger brother, or son of his elder brother, his own son or one treated as son or an adopted child or daughters' son or sister's son successively according to failure.[5]

A close examination of both the extracts reveals preference of *Śukranīti* for the theory of seniority as well as of family lineage yet the claim of personal merit is also to be reckoned with as the condition that the king should be capable to perform the tasks of the State without idleness is also mentioned even in the first instance. Birth and personal merit are two conditions of the crown-prince.[6]

Śukranīti anticipates conflict and rivalry over the question of succession and proposes some remedies to resolve the same. It emphatically warns against the partition of kingdom among rival claimants as it would produce no good and the kingdom so divided is exposed to the enemies.[7] Unity among the heirs is appreciated while differences among them are held dangerous to both the State and the family.[8] *Śukranīti*, therefore, advises the king to satisfy the different heirs by arranging the same kind of comforts and enjoyments as for himself and by providing status and high positions with umbrellas and thrones for them, they are to be made governors of provinces or to receive one fourth of the royal revenue or they may be appointed according to their status and abilities as heads of different State-departments like cows, elephants, horses, camels, treasure, army or kitchen etc. but the king himself must supervise and seal all in succession.[9] It appears that 'something like a feudal system is thus to be introduced by establishing a hierarchy of officials from among the members of the royal blood'[10] to avoid the rift and disunity among the different claimants belonging to the royal family. The king is advised to look after the well-being and interests even of the children of royal family, what to say of major ones, who are likely to be tempted by their interests and to destroy the ruler if they are not well-guarded. Royal children are compared with infuriated elephants without drivers.[11] And the only way to make them feel contented is providing royal comforts and high positions for them. But Śukra simultaneously advises the king to extirpate the relatives and kinsfolk of evil dispositions through tigers or enemies or through crafts, any deviation from this course would result in the disaster of both the people and the

ruler.[12] A son of the king, even if he is vicious, is never to be forsaken as he, if oppressed, destroys his father by having resort to enemies [13]

Śukranīti, thus discusses the problems of succession in detail and not only supplies a list of successive heirs but anticipates the coming difficulties in the way of an heir and proposes practical remedies to overcome the same with a view to maintain the unity of the royal family as far as possible by making the king a guardian of their interests. It has been rightly argued that the author of *śukranīti* had all the disadvantages of hereditary monarchy in his mind, hence elaborate rules have been suggested about the treatment of and dealings with men belonging to the royal household which the king should make it a point to study punctiliously.[14]

Time of succession

Śukranīti, being a practical treatise on the State-craft, pays attention to minute details Even after deciding the successor, Sukra warns the king against giving away the kingdom to him—however deserving he might be—while the latter is alive , while one is living, full sovereignty should never be conferred upon the son, though he is naturally of a good character, for that is the source of great mischief The example of Vishnu is cited in favour of the above statement who did not confer sovereignty upon his own son Sukra says that the most right moment to grant sovereignty to the son is towards the end of the life.[15] It has been earlier stated that the State should always have only one leader and the king should never try to leave any situation without leader [16] It appears that Sukra is suspicious even of the son who may deceive his own father after getting the kingdom as more than one leader of a kingdom are not considered as desirable; the king, therefore, is advised to confer sovereignty upon his successor—even his own son—only at the end of his life.

Qualities Desired in a King

Śukranīti, like other treatises on the State-craft, has elaborately discussed the qualities a king should possess. It is

[illegible]

Śukranīti also [illegible] the qualities of a king [illegible]. He is supposed to follow the path of virtue, and the [illegible] out of whose parts he is made he should perform the different duties by becoming the protector of wealth and possessions of the people, the generator of good actions, the founder of *dharma* and destroyer of irreligion, the punisher of offenders, the purifier and the enjoyer of all gifts, and the protector of the treasure and possessions of the State. He is expected to maintain everybody and to be a source of pleasure to all.[26] He should prove himself simultaneously a father, mother, preceptor, brother and friend to his subjects and like Kuvera and Yama be a giver of wealth and a punisher—these seven qualities should never desert the king.[27] He should possess the attribute of mercy, give up his own faults and abandon unfriendly words and should always satisfy his subjects by gifts, bestowal of honours and good deals. The king should possess restrain, valour, and skill in arms and weapons, be a queller of foes and not independent of *nīti*, he should possess good qualities and acquire the different arts and sciences and associate not with lower classes, have far-sightedness and respect for old men. Such a king is supposed to be a part of gods.[28]

It has been said that a wise king should notice his own faults as well as those of the subjects—and employ himself first and then the servants. This clearly implies that a good king should, by his behaviour, serve as a model for his subjects

A number of defects and vices a king should refrain from are also mentioned by the author of *Śukranīti*. The *shadvarga* defects i.e. sensuousness, anger, ignorance, cupidity, vanity

and passion should be abandoned by the king. Even one of these is said to be a perfect cause of the ruin. Śukra produces the examples of the kings who got ruined by not giving up these defects : king Dandakya by taking to sensuousness, Janamejaya through anger, Aila through cupidity, Bātāpi through folly, Paulastya through vanity and king Dombhodbhava through passion while Jamadagnya and Ambarisa ruled over the world for a long time by giving up these six enemies.[21] Similarly the king is advised not to indulge in hunting, dice-playing and drinking as these caused dangers for Pāndu, Naishadha and Vrisonis respectively.[22]

A king falls in danger of being deserted by his people in case he is uncharitable, insults men, practises deceit, uses harsh words and punishes unduly. People do not like a king who is very cowardly, procrastinating, very passionate and excessively attached to the pleasures through ignorance.[23]

The kings who are unable to increase their strength and paid no tribute from the princes and by whom subjects are not well-protected are compared with the oxen by the author of *Śukranīti*[24] The king when the subjects look upon with terror and disrespect, and who is deserted by both rich and the virtuous men is called *nṛpādhama*. The king is advised not to get attached much to actors, musicians, prostitutes, athletes, and lower castes. He should not be inimical to the intelligent and pleased with cheats and must understand his own faults. The society gets disturbed and disorganised if the king does not pardon offences but is a great punisher, is the robber of men's wealth and oppresses the subjects on hearing of his own faults. Śukra advises the king to appoint spies to know his subjects' opinion about his deeds. He should remove his own faults and be not angry with the subjects who criticize his wrong behaviour.[25]

This is obvious that *śukranīti* lays equal emphasis on the public morality as well as on the individual morality of the king. He supports his views by producing burning examples from the lines of kings, *ṛsis*, *asuras* and *devas*. It has been rightly pointed out that *śukranīti* lays special emphasis on the king's own discipline and self-restraint. The greatest of

his functions is considered to be ruling himself. Another remarkable point is appointment of spies not only to keep watch over officials and the people but also against the king himself and on behalf of the subjects.[26] The king, earlier, has been said to be an upholder of *dharma* and destroyer of irreligion and all his qualities mentioned above are necessary to perform this duty.

But special emphasis is put on kindness, beneficence, sweet words, charity as there is no art of subjugation in the three worlds as these. Similarly, prowess, strength, intelligence and valour are great qualifications without which a king though wealthy, cannot enjoy even a small region, but is soon thrown down from his kingdom. A king who possesses these qualities is held superior to a king with great wealth.[27] Being a pragmatic thinker the author of *Sukraniti* naturally displays his priority for the practical side of king's attributes.

Education of a Prince

Great significance has been attached to the righteous education and proper training of the princes by Hindu political thinkers in order to make them capable of performing the difficult tasks of the State without idleness, self—indulgence and ignorance. Kautilya, Bhishma, Manu, Kamandaka and others have produced an elaborate discussion over king's education in their respective treatises. Sukra also has discussed the same with deep concern and his ideas bear much resemblance with those of Kautilya and Manu.[28]

Sukra points out the importance of the proper education of the prince by stating that association with the guru is for acquisition of the *Sastras*, the *Sastras* are calculated to increase knowledge, the king who is trained in the branches of learning is respected by the good and does not incur sin even if instigated by evil motives.[29] The king [illegible]

[illegible]

and *dandaniti*. The author further defines the same. The science of discussion and Vedanta are founded on the science of *Ānviksiki*, virtue and vice, as well as interests and injuries of man are based on the *trayi*, wealth and its opposite on *vārtā* and good and bad government on *dandaniti* and thus rightly asserted that all the castes of men and the stages of human life are built upon these sciences [31] No wonder that a king, therefore, is advised to take proper lessons in all these four branches *Trayi* is constituted of the six *angas*, the four *vedas*, *mimāmsā*, (system of philosophy), Nyaya (system of philosophy), *dharmaśāstra* as well as the *purānas*. *Vārta* treats interest, agriculture, commerce and preservation of cattle. And *Danda* is restrain and punishment, hence the king is known to be *Danda* and the Niti that regulates punishment is *Dandaniti* as it governs and guides. The king is expected to give up both pleasure and pain through *Ānviksiki* and the science of self and gets both temporal and spiritual self-realisation through the *Trayi*.[32]

In an other extract where the king is advised to look after the royal children carefully the author of *śukraniti* again discusses the education of the princes : He (the king) should make the children of his family well-up in the *nitiśāstra*, proficient in archery, capable of undergoing strains and of hearing harsh words and punishments, habituated to the feats of arms, master of all arts and sciences, upright in morals as well as well-disciplined through his ministers and councillors.[33] Yet the first priority is for the knowledge of *śāstras* as it is the root of all self-discipline which is the chief thing to the leader or the king, this makes one master of the senses and he who has mastered the senses, acquires the *śāstra* This acquisition of discipline and, therefore, of *śāstras* should be provided not only to the king but to the sons, to ministers, to servants and even to the subjects.[34] Applying a poetic simile the author of *śukraniti* opines that without proper training of the senses they are like an elephant which is running to and fro in a destructive manner in the vast jungle of pleasure-seekingness and asserts that the man who fails to subdue one's senses cannot master the world extending to the sea.[35] The importance of

proper training is again emphasised when Śukra says that the dynasty soon comes to ruin if its children are undisciplined, i.e. not well-versed in śāstras.[36] The author suggests the means of reforming a problem child when he states that he should harass the child when taking to evil ways by persons who are of evil habits, as one should bind a wicked and wild elephant.

Śukranīti recognizes the contribution of the environment and the methods of bringing-up of a child when he suggests that royal children should be brought up with good cells, clothed in good dress, respected with good seats, and nourished with good food and thus they are made worthy of being crown-princes.[37] This means that the author signifies the role of good and decent living that are endowing the self-confidence, a sense of dignity and other characteristics that are desired in a person who has to rule over others.

Thus it is evident that Śukra has envisaged a complete course of instruction for children of royal household. The education is to be at once physical, intellectual, moral, military as well as political.[38]

Functions and Duties of the King

Śukranīti has discussed the functions and duties of the king in great detail. A long list of the works expected to be done by the king is supplied even in the first chapter and other chapters in [illegible] the differe[illegible] fact the wh[illegible] ing and a[illegible] regard to the fulfilment of his obligations towards his subjects and the *dharma*.

The two primary functions of the king, according to Śukra, re protection of the subjects and constant punishment of he offenders.[39] In another extract the king is supposed to erform the following eight functions: punishment of the icked, charity, protection of the subjects, performance of *jasūya* and other sacrifices, equitable realization of venues, conversion of princes into tributary chiefs, quelling of the enemies and extraction of wealth from land.[40]

The king, being the source of all the departments of the government, is ascribed duties regarding almost all the departments. All his functions could be discussed under three heads i e the legislative functions, the executive functions and the judicial functions as the king, being head of a monarchical State, is really the whole government

The King as Legislature

The King, although always considered an 'upholder of *dharma*' (the unchanging law) by the Hindu philosophers, is never vested with the authority of making laws In this sense *śukranīti* also does not ascribe the role of the law-maker to the king. But, simultaneously, it would be an understatement if we assert that the king is given no legislative functions at all Law as such, according to Hindu theorists is not made by man but is culled from the scriptures called *dharmaśāstras* and the king is always advised to act according to the same—only then he could be called an 'upholder of *dharma*'. The king, however, is called 'the cause of the setting on foot of the customs, usages and movements and hence is the cause of maker or time '[41] In a similar extract he is again regarded as the maker of his age and of the good and evil practices.[42] Describing the resemblance of king's functions with those of the gods *śukranīti* states that he is generator of evil and good actions and is the founder of religion and destroyer of irreligion The king, thus is made responsible for moulding society, correcting usages, interpreting tradition and for purging the abuses of social life in accordance with the *dharma*. He, undoubtedly could not be a legislature in the modern meaning of the term, but 'as secular law of the Hindus is not only based on the *smṛtis* but also an *ācāras* or usages, the king has the right of modifying, amending or even abrogating these usages and customs if he considered them to be against the spirit of the age '[43] It is also to be noted that *Dharmaśāstras* are many in number and sometimes may have conflicting ideas over a problem. The king, in such case, was held responsible to decide the correct one and is advised of employing his own intellects with other things : the wise king by daily acquiring the various branches of learning, practises only those works

which are known to be virtuous according to Sruti, Smriti, tradition and self-deliberation.'[44] The 'self-deliberation (manasa) clearly implies that the king was expected to use his own discretion—though necessarily according to the spirit of the dharma.

Śukraniti advises the king to give high publicity to the laws by sounding the State drums and put them in written form in esplanades so that these could be recognized as State-commands. It is also stated that royal assent is essential to make new social rules. These *śasanapatras* should be duly signed by the king[45] Laws thus become promulgations of the State and the king become the sanction of the laws; and since the ruler is the dictator of virtues and vices, people make it a point to practise that by which he is satisfied[46]

Sometimes Judiciary also, though indirectly, attends to the function of legislating by interpreting the laws in the light of the changing spirit of time and by establishing their interpretation as precedent which is as good as law in judicial system The king, according to Śukra, is the highest court of law in the land and thus his interpretation acquires the status of law It is said that the king is at liberty to proceed at its best in cases which are impossible to decide finally and which are of a doubtful character[47]
This discussion should imply that the king, although explicitly not authorized to make laws, could indirectly attend to legislative functions, in the times of need, according to the spirit of the *dharmaśāstras*

The King as Executive

Protection – *paripālanam* – of the people is one of the two primary functions of the king. Seven out of the eight functions mentioned in an other extract quoted above are essentially of executive nature. Almost all the duties, except those of judicial nature, assigned to the king in the *śukraniti* make him the real executive head. Protection or *paripālanam*, the supreme duty of the king, is a wide term and encircles within its jurisdiction not only protection from external attack or attack by somebody living within the State but the maintenance of *dharma* and social order also. The king is called

a 'founder of *dharma*', as well as a source of maintenance and pleasure to everybody.[48] He is nourisher, adviser, friend and giver of wealth to the people.[49] He is said to be the cause of prosperity – *abhyudaya* – of this world' and 'gives pleasure to the eyes of the people as the moon to the sea'[50] All these extracts clearly indicate that the protection of people is essentially a positive responsibility and king is supposed to attend to commonweal. *Śukranīti* elaborately discusses the job-chart of the king by following which he could achieve the aforesaid goals.

The king as the chief executive authority, by his being a king, appoints crown-prince and the other members of the council of ministers and is advised to work in consultation with them.[51] He is the chief appointing authority of the principal officers of the State after properly examining their ability, company, character and family etc. and not only on the basis of caste or family.[52] He is expected to supervise the working of different departments and officials by direct inspection and through spies as well.[53] He is advised to investigate the charges levelled against the officers and dismiss them if the charges are found correct.[54]

The king is called the protector of the treasure of the State. He is advised to take his share from the people's wealth as a brother takes his legal share from the other brother. He is not to levy taxes which are not sanctioned by the *dharmaśāstras*. He would make the yearly estimate of the State revenue and expenditure and see that expenditure do not exceed the provisions.[55] An estimated expenditure of the ruler having income one lack coins a year is given by Śukra himself.[56] The king is supposed to supervise the accounts daily and make an estimate of the daily expenses so that required amount could be brought out of the treasury.[57] The king is advised to increase the treasure by righteous means in normal times and by defeating the enemies.

The king is supposed to issue decrees on a number of subjects in order to maintain law and order in the society. A long list of the subjects, already quoted while discussing the sphere of State-authority, is supplied by Śukra. The decrees

so issued are to be made public by him through sounding the State-drums and placing them in esplanades as written notices. The list is comprehensive enough and includes almost all the aspects of life except the spiritual one. The king is thus given absolute executive authority to maintain the social order, to uphold dharma and to protect the people. But it is explicitly stated that the king must not violate the *nītiśāstra* : of the prince who does not follow *nīti* the kingdom is weakened, the army is inefficient, and the civil service is disorganized; other elements of the State get topsy-turvy, in short, evil prevails everywhere [58]

The executive duties of the king are supposed to encourage learning and literature also. *Śukranīti* assigns the king the duty of promoting education and different arts and sciences, for this 'he should train the officers appointed with salaries [illegible] seen that they [illegible] nt them in their [illegible] every year who are very high in arts and sciences. The king should always take such steps as may advance the arts and sciences of the country.'[59] This definitely indicates that Śukra desires to see the king a patron of arts, literature and sciences.

The king, being executive head is head of the army also. Protection from external attack is considered his foremost duty. He gains absolute power in war times, like modern emergency situations, and is empowered to receive from the people special grants of fines, duties etc and could take the wealth of the rich men by supplying them wherewith to live But when he is free from danger he should return the amount to them together with interest [60] Even the killing of a brāhman in the war-field is not considered a sin [61] The king is made responsible for having forts well provided with war materials and contingencies as well as grains, troops, arms and treasure [62] The kings are considered to be almost like ... by whom their strength (army) is not increased, by whom princes are not made to pay tribute and by whom subjects are not well protected [63]

The king, however, should be kind even while performing his executive duties He should discharge his duties in a manner that does not make the subjects look upon him with terror and disrespect. A king is required to pardon offences like a mother and should not oppress his subjects He, failing in his duty as a protector of the people, is dishonoured by people and even killed by the gods. *Śukranīti*, thus, pays much attention on the executive functions—mainly of a protective nature—of the king as this is what makes him an 'upholder of *dharma*.'

The King as Judiciary

Protection of people and *dharma* is not possible without the authority to punish the wicked. Śukra, like other Hindu philosophers, attaches much importance, therefore, to the judicial functions of the king. The king, according to *Śukranīti*, is the highest law-court of the land. He is the last appellate authority in the State [64] The importance of justice is so recognized that the king is desired to attend the judicial work personally with other officers [65]

The king, as the source of judicial system, appoints chief justice and other judicial officers of different categories after examining their calibrs [66] He is advised to appoint members of jury—*sabhyas*—the persons who are virtuous, well—tried and capable of bearing the burden of the administration of justice like bulls.[67]

The king, being the highest judicial authority in the land, is held responsible for the interpretation of law—a duty which he is advised to perform in consultation with the learned and virtuous ones His decision, however, is deemed to be final as he is the higest authority to decide what is *dharma* (*dharmaadharmaniyojaka*) and his intelligence is superior to those of others.[68]

Śukra, however, warns that the king should decide according to the *dharmaśāstras*. He is advised to act with the help of other judicial officers, juries and that too not secretly [69] It is remarkable that the king is advised to refrain from deciding the cases of dispute among brāhmans regarding the interpretation of a procedure of sacrificial ritual and of those who

practise the occult arts.[79] It appears that Śukra does not approve any interference from the State into religious affairs and wants to save the king from the wrath of occultists

King, as judiciary, attends to the function of constant punishment to the wicked which is one of his primary functions Actually, the protection of the people and punishment to the wicked are inter-related and the king, as *dandadhara*, is held responsible for the both. Executive and judicial functions are combined in the person of the king. The principle of total separation of powers could not be expected to be applied in a hereditary monarchy. Hence the king, according to *śukranīti* appears as head of both executive and judicial departments of the government Hindu jurists generally regard *danda* superior even to the king and even Manu, a supporter of the divine theory, suggests that a king could be penalized for the offences he commits But *śukranīti* does not speak anything regarding the offences of the king. The king appears, though he should not be, to be *immune* to the normal law of the land He is to be punished only through revolt of the subjects or through disgrace of the gods

Protocol of the Royal Court

Śukranīti depicts a detailed picture of the seating pattern and protocol to be followed in the king's court The king is advised to discuss royal duties with brothers, sons, relatives, friends and commanders and members in the council house. The king is to sit in the centre of the western half of the meeting with his body-guard and retinue in his right and left. At his back proceeding from the right to the left, seats are reserved for the sons son's sons, brothers, nephews and daughter's sons successively. Uncles elder members of king's family, commanders and members are to sit in the front on separate seats at the right hand moving towards the east In the front at the left hand seats are to be kept for elders in the family of maternal grandfather, ministers, cognate relatives, fathers-in-law, brothers-in-law and other officers respectively moving towards the east The son-in-law and sister's husband are to sit on the left and right side respectively The friend is to be given the honour of sitting either

41. *Śukranīti*, 1.22
42. *Śukranīti*, 1.60
43. Panikkar, K. M., Ideas of Sovereignty and State in Anci
p. 39-40.
44. *Śukranīti*, 1.149
45. *Śukranīti*, 1.303.
46. The Cultural Heritage of India, Vol. II, p. 517.
47. *Śukranīti*, 4.5.267.
48. *Śukranīti*, 1.73-75
49. *Śukranīti*, 1.78-80.
50. *Śukranīti*, 1.64
51. *Śukranīti*, 2.12, 2
52. *Śukranīti*, 2.54-55
53. *Śukranīti*, 1.282-89
54. *Śukranīti*, 1.374-75
55. *Sukranīti*, 1.316,170.
56. *Śukranīti*, 4.7.27-29
57. *Śukranīti*, 1.277-78
58. *Śukranīti*, 1.19.
59. *Śukranīti*, 1.368-70
60. *Śukranīti*, 4.2.10-11
61. *Śukranīti*, 4.7.327-28
62. *Śukranīti*, 4.6.12
63. *Śukranīti*, 1.125
64. *Śukranīti*, 4.5.31
65. *Śukranīti*, 4.5. 4-5
66. *Śukranīti*, 4.5.13
67. *Śukranīti*, 4.5.24-25
68. *Śukranīti*, 4.5.30-31
69. *Śukranīti*, 4.5. 10.11
70. *Śukranīti*, 4.5.19-20
71. *Śukranīti*, 1.353-62.
72. *Śukranīti*, 1.363
73. *Śukranīti*, 2.276-78
74. *Śukranīti*, 2.281-82
75. *Śukranīti*, 2.278-80
76. *Śukranīti*, 2.284
77. *Śukranīti*, 2.428-29
78. *Śukranīti*, 218-21
79. *Śukranīti*, 2.267-68
80. Kane, P. V., History of Dharmasastras Vol. II, p. 601.
81. *Śukranīti*, 1.273-84
82. *Śukranīti*, 255-56.
83. *Śukranīti*, 4.1.41-43
84. *Śukranīti*, 4.1.40

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41. *Śukranīti*, 1.22.
42. *Śukranīti*, 1.60.
43. Panikkar, K. M., Ideas of Sovereignty and State in p. 39-40
44. *Śukranīti*, 1 149.
45. *Śukranīti*, 1 303
46. The Cultural Heritage of India, Vol II, p. 517.
47. *Śukranīti*, 4.5 267
48. *Śukranīti*, 1 73-75.
49. *Śukranīti*, 1.78 80.
50. *Śukranīti*, 1.64
51. *Śukranīti*, 2. 12, 2
52. *Śukranīti*, 2 54-55
53. *Śukranīti*, 1 282-89.
54. *Śukranīti*, 1.374-75.
55. *Śukranīti*, 1.316,170
56. *Śukranīti*, 4.7.27-29.
57. *Śukranīti*, 1 277-78
58. *Śukranīti*, 1 19
59. *Śukranīti*, 1 368-70
60. *Śukranīti*, 4 2 10-11
61. *Śukranīti*, 4 7 327-28
62. *Śukranīti*, 4 6 12
63. *Śukranīti*, 1.125.
64. *Śukranīti*, 4 5 31
65. *Śukranīti*, 4 5 4-5
66. *Śukranīti*, 4 5 13
67. *Śukranīti*, 4 5 24-25
68. *Śukranīti*, 4 5 30-31
69. *Śukranīti*, 4 5. 10 11
70. *Śukranīti*, 4 5 19-20
71. *Śukranīti*, 1 353-62.
72. *Śukranīti*, 1 363
73. *Śukranīti*, 2 276-78
74. *Śukranīti*, 2.281-82.
75. *Śukranīti*, 2.273-80
76. *Śukranīti*, 2 284
77. *Śukranīti*, 2 428-29
78. *Śukranīti*, 218-21
79. *Śukranīti*, 2 267-68
80. Kane, P. V., History of Dharmasastras, Vol. II, p 603
81. *Śukranīti*, 1 273-84
82. *Śukranīti*, 285-86
83. *Śukranīti*, 4 1 41-43
84. *Śukranīti*, 4 1 40

5

The Council of M.nisters

The Council of Ministers

Significance and Necessity of the Council of Ministers

The place of the chief advisors of the king is held very high by the political thinkers of the Hindus. Not only in *mahābhārata*, *arthaśāstra* and Manu but even in the *vedas* a king is advised to consult and pay respect to the opinions of the ministers-*ratnins*. Ministry has been named eye in the body politic of the State by Śukra.[1] He attaches much importance to this organ without which the king would not be able to see anything. In another extract the ministry and the crown-prince are ranked equal by stating that they respectively are the left and right hands, eyes and ears of the king. The ruler without these two would be deprived of these organs (any means of actions); he, therefore, is advised to appoint them on careful consideration to avoid great calamities.[2]

Even a small work could be done with great difficulty if attempted by a single man; the task of running a State, he argues, naturally needs a band of advisors and assistants. Borrowing this argument from Manu,[3] *śukranīti* asserts that a wise ruler—even if he is proficient in all the sciences and is well-versed in State-craft—should never study the political matter alone without consulting with ministers and should always abide not by his own opinion but by the well-thought-out decisions of the councillors, office-bearers, subjects and members attending a meeting as the king who follows only his own will is the cause of miseries and soon gets estranged from his kingdom and alienated with his sub-

Śukra further argues that human conduct and grades

hence are diverse and similarly diverse are the sources of knowledge making it not possible for a single man to be well-versed in; hence the king should appoint ministers to

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advise and assist in the works of the State.[5] It is categorically stated that a State is undoubtedly destroyed if it is deprived of the advice of the ministers who are called *prakṛtis* of the State.[6]

This discussion makes it clear that Śukra is certainly not in favour of the total absolutism of the king and holds the view that for a better and efficient governance the proficient advisors in the various departments of the government are essential. This idea was also prevalent in the times of Papal Supremacy in medieval Europe that these assistants are the limbs of the ruler. It is pointed out that the legates, cardinals, pardoners and other assistants of the Pope were regarded as his hands and eyes to a certain extent.[7]

Qualification

military instruments and tactics The priest is also *acārya* and fearing his anger even the king takes to virtuous ways of life as he is competent both to curse and bless.[10] The priest is superior to all others and as even the king is expected to fear his anger, he should naturally be of a highly moral as well as intellectual calibre well-versed in almost all the *śāstras* as well as military sciences and diplomacy [11]

The *pratinidhi* is required to be quick and efficient in decision-making; he is called *karyakaryapravijñata*—one who knows what is to be done and what is not to be done. The *pradhāna* should be efficient in managerial and supervisory faculties as he is required to have an eye on all the things concerned with the state. The *saciva* should be an expert in military sciences and army management. The *mantrin* is required to be proficient in the science and practice of diplomacy. The *prādvivākā* or chief justice should be will-versed in atleast three sciences related with men (social sciences), *śāstras* and morals. The *pandit* should naturally be a master in theology and ethics. The *amātya* is supposed to be the *man who has knowledge of different kinds of land and* records The *sumantra* should be an expert in accounts—one who knows of the incomes and disbursements. The qualifications of the *dūta* are emphasized in a separate passage

of the latter. 'Can there be prosperity of the kingdom' Śuk[illegible] asks, 'if there be ministers whom the ruler does not fear[illegible] and advises the king to gratify good ministers like wom[illegible] gratified with decorations, liveries of honour etc.[11]

The son of the outgoing king, attaining the highest positi[on] is advised by Śukra 'to respect the old councillors in the same manner' and the latter are advised 'to adopt his cours[e] of action if reasonable but to prevent them by putting of[f] if otherwise.'[12] It clearly implies that the experienced mini[sters] are empowered by Śukra to delay the unreasonable orders of the king. The opinion of the majority of king's ministers and officers is highly appreciated by Śukra: the unity of opinion possessed by many is more powerful than the k[ing.] The rope that is made by a combination of many threads is strong enough to drag even the lion.[13] Hence not only the king is advised to accept the opinion of the majority but the ministers are also counselled in favour of unity among them[-]selves.

The aforesaid extracts should supply ample proof in supp[ort] of the view that the council of ministers is regarded a powe[r]ful body exercising sufficient control over the arbitrariness [of] the king. It has been argued[14] that the Hindu monarc[h] could never be arbitrary as he is advised never to pursu[e] his own ideas only and through ministers a kind of the posi[]tive and direct check of a constitutional government is imposed upon the king. No doubt that the king is advised to respect the opinion of the ministers but he is the source of their authority and is empowered to appoint as well as dismi[ss] them. It appears that the influence the ministers exert over the king according to the *Śukraniti* is essentially a moral and [n]ot strictly a constitutional one. In a passage, Śukra advises [th]e priest with the help of the other ministers to dethrone a [wick]ed king but no constitutional method is suggested[15] [wh]ence such a step could not be considered a constitutional [...] though it could and [illegible] be highly supported by [...] such [illegible] happen in extraordinary times [illegible] appears to be [illegible]

n normal times, the king, however, is supposed to respect he opinions of the ministers and the latter is meant to work or the betterment of the king and his kingdom. Only at one place, perhaps exceptionally, it is said that one should never point out the defects of the princes' character to the king as love of wife and children is very great [17] Otherwise, the ministers are always required to be bold and intelligent enough to point out the royal defects and dissuade the king from unrighteous path Śukra, thus, appears to favour the appointment of strong and efficient ministers and does not approve of ministers behaving like sycophants. It is the strong character and personality of the minister that would work as a check on the arbitrariness of the king.

Constitution of the Ministry

Hindu thinkers are not unanimous over the question of the strength of the council of ministers. *Arthaśāstra* mentions different opinions which tell us that some scholars were in favour of twelve, sixteen and even twenty ministers [18] But most of the thinkers agreeing with Manu and *mahābhārata*, appear to favour the idea of a ministry consisted of seven or eight persons. *Śukranīti* also refers to this view but the author himself proposes a council of ten ministers These ten are designated as *purohita*, *pratinidhi*, *pradhān*, *saciva*, *mantrin*, *prādvivāk*, *pandit*, *sumantrak*, *amātya* and *dūta* and called *prakṛtis* of the king In the list of eight ministers mentioned in *śukranīti*, the *purohita* and the *dūta* are omitted. The two lists differ over the matter of remuneration also According to the first the monthly remunerations are one-tenth more than those of subsequent men upto the *dūta* but in the second list all the eight ministers have equal remuneration. The *dūta*, according to second view, is servant of the king and other *prakṛtis*, hence he is not mentioned with the ministers *Śukranīti* also decides the hierarcy of all the ten ministers : the priest is regarded as superior to all the others followed by *pratinidhi* (viceroy), *pradhān* (premier), *saciva*, *mantrin*, *prādvivāk*, *pandit*, *sumantra*, *amātya* and the *dūta* succesively in the order [19]

favours the idea of appointing persons as the work-load demands but he does not give them the status equal to that of councillors. In modern terminology, they are likely to be equated with deputy ministers or secretaries

Working of the Ministry

The king is advised to consult the ministers over important and confidential matters in secret places like the inner apartments of the house in the night or cleared forests in the day.[21] The ministers are supposed to give their opinions with all their arguments to the king who is advised to compare them with his own opinion and then take the decision approved by the majority.[22]

The councillors are advised to present their proposal to the king through proper channel The *mantrin, prādvivāk, pandit* and the *dūta* should write "This document has been written with my consent." The *amātya* should make his note 'well written in this', the *sumantra* should write 'well-considered'. The *pradhān* should write 'true'. The *pratinidhi* is to comment 'it can now be approved' The crown-princes should make a recommendatory note 'It should be accepted' and the priest should order the approval by writing 'approved' over it They all are required to put down their signatures and seals and the king, after seeing their signatures etc., should accept it by signing with seal [23] Śukra, thus, makes the whole ministry responsible for the decisions. Each proposal is required to go through atleast six ministers to come before the king Each minister is supposed to comment in writing with all his arguments Any proposal, through this process, is bound to be well-discussed with all the different aspects by different competent persons The king is supposed to put trust in the ministers and accept their advices as, being busy in a number of other things, he does not have enough time and energy required to examine the different aspects of all the problems by himself. Śukra, in other words, makes the ministers actually responsible for the State work.

Śukra also favours the idea of transferring the ministers to other's departments. He is against any minister becoming too powerful and states that the ten *prakṛtis* should be

vested with equal authority. The king is advised never to give any office for ever to anybody and everybody with the argument that everybody is likely to be intoxicated by the drinking of the vanity of offices.[24]

Functions of various Ministers

Names of various ministers appear in many treatises but no authority, except Śukra, has dealt with the division of work among the different ministers. *Śukranīti* is the only *grantha* which gives us some ideas about the different portfolios of the ministers, hence it is also suggested that departments usually should be divided on the lines suggested by Śukra.[25] The duties and functions of the each minister is to be understood as discussed below according to *Śukranītisāra*

Purohita : *Purohita* or *purodha* (priest) appears to be the chief advisor to the king He is regarded as superior to al other ministers and is supposed to guide the king in the matters secular as well as religious. Any proposal to be pu before the king for approval, according to Sukra, must firs be cleared by the *purohita* after getting commented upon b all other ministers. He is prominently mentioned in th Vedic as well as epic literature as preceptor to the king an selfless defender of the State from all sorts of dangers an calamities. *Śukranītī* calls him one whose anger even mak the king fear and hence who is responsible for making hi refrain from sinful path and take to the virtuous ways life. A description of his qualities[26] clearly implies that was supposed to ascertain that all the things should move accordance with the *dharamaśāstra* and counter the secul as well as divine calamities by offering right advice a performing religious sacrifices, prayers etc. He is empower by Śukra to engineer the department of the vicious king a the installation of the new ruler from the family of removed one with the approval of the other *prakṛtis*[27] T amply demonstrates the status, significance and responsi lity of the *purohita*, in the State affairs as envisaged *śukranīti*. It is to be noted that the name of *purohita* d not appear in the second list mentioning only eight p referred to by Śukra as proposed by some other thinkers

ministers in the Maratha administration bear the same nomenclature as that of the ministers mentioned in *Śukranīti*. The main function of *pradhān* appears to control the total administration and to integrate the work of different departments in order to have the policies of the same not differentiating from each other. He is the back-bone of the king's secretariat

Saciva . *Saciva* is the designation for the war-minister. Some call him *senāpati*. *Śukranīti* elaborately discusses his duties. It is stated : The *saciva* has to study the elephants, horses, chariots, foot-soldiers, camels, oxen, bandsmen, ensign bearers, men who practise battle-arrays, men who are sent eastward and westward (on mission), bearers of royal emblems, arms and weapons, attendants of superior, ordinary and inferior grades, and the various clases of ammunitions, he has to find out the groups that are complete in all their parts, how many of these are in active condition, how many are old and how many new, how many are unfit for work and how many troops are well-equipped with arms, ordinance and gunpowder, and what is the amount of commissariat and other contigencies Then he has to communicate the result of his studies to the king.[32] This passage clearly shows that *saciva*, according to Śukra, is to look-after the military administration and advises the king as to the ways and means of strengthening the army It has been rightly commented that the title *saciva* is not the 'usual designation' by which he is known.[33] He is supposed, to see, according to *Śukranīti*, that all the parts of the army are efficient and resourceful and the forts are well-protected He is also required to have a knowledge of other kings' strength and make his own army competent to face them The duties of a modern war or defence minister are assigned to him.

Mantrin . The duties of *mantrin* as narrated in *Śukranīti* could be equated with those of a modern minister for foreign or external affairs. It is pointed out that the *mahāsandhivigrāhaka*—the highest officer incharge of peace and war—of the inscriptions and *sumantrin* of Sivāji are the same kind of minister as that of the four-fold policy of *sāma* (peace).

dana (appeasement), *danda* (punishment) and *bheda* (dissention). He is made responsible for studying the desirability and effects of any of the four in each case for advising the king to adopt the most proper course of action.[34] Śukra himself has elsewhere discussed the effects of the each part of the four-fold policy in relation to different types of friends and enemies

Prādvivāka The *prādvivāka* or chief-justice is the highest judicial authority, except the king himself, of the land. He is supposed to study each case in all its aspects and through all types of examinations secular as well as occult by himself and by consulting other peers in Council and then advise the king regarding the proper decision of the case keeping in view the reasoning, direct observation, inference and analogy as well as the local customs.[35] In the absence of the king, he is authorized to administer the judicial deliberations. He is called *prādvivāka* as he enquires (therefore *prāt*) and takes decisions by analysing cases and judging disputes (hence *vivāka*).[36] But it is to be noted that some other ministers like the priest and the *amātya* and brahmans are also to be sometimes consulted in the judicial deliberations. The king is advised by Śukra to look into the cases according to the *dharmaśāstras*—in the company of the Chief-Justice as well as the *amātya*, *brāhmana* and the *purohita*[37] This may perhaps explain why the *prādvivāka* is not mentioned as a separate minister in the Hindu inscriptions In the presence of *purohita* and *amātya*, his status is naturally lowered and he could not function as independently as a minister of a department is required to do He is supposed to act according to the *dharmaśāstras* and *purohita* is considered the highest authority over the same

Pandita The *pandita* is expected to be an authority over the of moral conduct. Śukra appears to favour the view at rules of morality may vary according to place, time and The *pandit*, therefore, is supposed to study of moral conduct in ancient as well as contempo- imes, and by making a comparative study of the moral advised in the *śāstras* and the local customs he

sho

iditional rules but should suggest changes as required by time, place and circumstances—but alaways in tune with the spirit of *dharma*. It is suggested, though Sukra does not mention it, that donations from the State to temples, monastries, and centres of learning etc. must have fallen within the jurisdiction of this department[39] He could be regarded as the chief advisor in matters of socio-religious policy of the State but it is not clear if he was incharge of the department for donations (*Dānavibhāga*). Śivājī also had a minister called *panditrāo* in his cabinet.

Sumantra: Śivājī designated his foreign minister as *sumanta* (*sumantrin*) but *śukranīti* assigns the profolio of treasury to the *sumantra*. He is made incharge of the department of finance and is supposed to study the accounts and control them. It is stated that he 'should communicate the king the amount of commodities laid by, the amount of debts etc., the amount spent and the amount surplus or balance in both movables and immovables during the year[40] It could very well [illegible] that he [illegible] a finance minister in [illegible], authorized to see that [illegible]rtments of the State is [illegible] i.e. estimated expendi-

predecessor to modern experts

[illegible]nister [illegible] the [illegible] have a [illegible]ious [illegible] or un- [illegible] estimate of [illegible] and [illegible] from [illegible] jewels. He [illegible] and fines [illegible] these up and [illegible] for all kinds

General References

1. *Śukranīti*, 1 62
2. *Śukranīti*, 2.12-13.
3. Manu, 7.53.
4. *Śukranīti*, 2 1-4.
5. *Śukranīti*, 2.5-7.
6. *Śukranīti*, 2 81.
7. *Śukranīti*, (tr. B. K. Sarkar), p. 57.
8. *Śukranīti*, 2 7-9.
9. *Śukranīti*, 2.10-11.
10. *Śukranīti*, 2 78-80
11. *Śukarnīti*, 2 80-81.
12. *Śukranīti*, 2 92
13. *Śukranīti*, 5 21-22.
14. *Śukranīti*, 4.7.419.
15. *Śukranīti*, (tr. B. K. Sarkar), p 54
16. *Śukarnīti*, 2 274-75.
17. *Śukranīti*, 2.260-61.
18. *Arthaśāstra*, Book I Chapter 15.
19. *Śukranīti*, 2.71-78.
20. *Śukranīti*, 2.111.
21. *Śukranīti*, 1.353
22. *Śukranīti*, 2 366.
23. *Śukranīti*, 2.365-71.
24. *Śukranīti*, 2.109-114.
25. Altakar, A. S , State and Government in Ancient India, p. 67
26. *Śukranīti*, 2.78-80.
27. *Śukranīti*, 2.274-75.
28. Alteakar, A. S , State & Government in Ancient India, p 169.
29. *Śukranīti*, 2.89.
30. Altekar, A S , State and Government in Ancient India, p 169.
31. *Śukranīti*, 2.90.
32. *Śukranīti*, 2.91-95.
33. Altekar, A. S , State and Government in Ancient India, p. 170
34. *Śukranīti*, 2.96
35. *Śukranīti*, 2.97-99.
36. *Śukranīti*, 4 5 62-63
37. *Śukranīti*, 4.5.5.
38. *Śukranīti* 2.100-102.
39. Altekar, A. S., State and Government in Ancient India, p 173.
40. *Śukranīti*, 1.102-3
41. *Śukranīti*, 2.104-7.
42. *Śukarnīti*, 1.284.

6

General Administration : Principles and Practice

General Administration : Principles and Practice

Philosophy of Administration

'As a work, even a trifle one, could be done with difficulty by only one man, the work of a state is not possible to be performed without a number of helpers'[1]—hence the need for an administrative structure. The wise ruler is, therefore, advised to perform the duties with the help of councillors, office-bearers, subjects and members attending a meeting. These all are parts of the administrative organization of the State. Any single individual is not likely to possess variety of intellectual gifts required for various functions of the State and to know the varieties of human behaviour—the king or ruler, therefore, is expected to appoint assistants of different kinds and grades after examining their merits[2] *Śukranīti* lays down the principles of organization in order to build an administrative structure to implement the policies of the king according to *dharma*.[3]

The following tests for a viable philosophy of administration have been pointed out by some modern thinkers[4] :

(a) It must bring into focus all elements entering into administrative action.

(b) Where possible principles are developed, it should be borne in mind that they are valid guides to future action under substantially similar conditions.

(c) All elements entering into administrative action should be integrated and brought into a system of proper and unified relationship.

(d) Administration is concerned with both ends and means. The skilful fusion of the two is the test of administrative excellence.

(e) A philosophy of administration should be conceived such a way that, if it describes reality and provi reliable tool to the executive, it constitutes a grand to which exceeds the sum of its parts.

(f) A good administrative system should communica spirit and rounded feeling of widespread satisfaction.

Śukra appears to agree to this philosophy of administratio The primary task of the different kinds of assistants of th king is to help the latter in the performance of his dutie towards the subjects and these duties are described as pro tection of the people and punishment to the wicked. Śukr elaborately discusses what the different parts of the State could do to perform these tasks—hence each part of the administrative organization is brought into proper focus. The council headed by the king or the king-in-council is instru mental in integrating and bringing into a system of unified relationship all the elements entering into administrative action. The king, as head of administrative organization, is supposed to supervise the working of all the departments All the proposals are made to come before him through a number of ministers and some of the ministers are linked even with the judicial administration All this implies a definite linkage of the various departments of the govern ment. So far as the ends and means are concerned, the state employees are directed to work for the prosperity of the state as well as that of the people and advised against doing anything which is harmful to the people, though may be good for the king.[8] Sukra not only cares for public welfare and prosperity of the king but pays more attention to the well-being of the administrative personnel. The king is advised 'to satisfy both his servants (administrative person nel), and subjects according to their qualifications, some by spreading out branches, others by giving fruits.'[9] His concept of administration, thus, comes out successful in the tests pre scribed even by modern thinkers taking into account the [illegible] isions of Hindu tradition.

[illegible] istrative Departments

[illegible] ntiti obviously divides the different types of administra functions mainly in ten departments each headed by a

[illegible] Polity in Śukranītisāra

minister as discussed in the preceding chapter. But Śukra makes it clear that there are some more departments to be run not by ministers but by other qualified officers. Officers other than ministers appointed by the king are made separate in-charges of the departments dealing with elephants, horses, chariots, infantry, cattle, camels, deer, birds, gold, jewel, silver, clothes, treasure, grains, cooking, parks, buildings, and palaces seperately as also—household and contingencies, religious establishments and the charities. In each village and town six officials namely the lord of *sahas*, the headman of the village, the collector of land revenue, the clerk, the collector of taxes (tolls and duties), as also the news-bearer are to be appointed.[7]

It is thus quite obvious that Śukra has distributed the administrative responsibilities among a number of departments and it may also be inferred that each department is likely to be distributed among a number of sections dealing with different aspects of the main responsibility. There appears no use of separate departments for silver, gold and jewels each. Śukra himself wants only one person as head of the department dealing with all these things together when he says: that man is to be in-charge of gold, jewels, silver and coins who can distinguish their values by their weight, shape, lustre, colour and resemblance.[8] It may well be inferred that Śukra appears to incorporate all these things in one department with different sections headed by separate specialists under one specialist as head of the department.

Categorization of the Employees

Different categories of various kinds of employees are clearly [illegible] iministration, [illegible] and cadres [illegible] imber of state [illegible] supplies some valuable [illegible] of administrative per-

The first category is constituted of the different ministers leaving scope for some inner hierarchy. They are supposed to head important departments and also to advise the king

over important matters of general interests. The king is expected to make all the important decisions in consultation with all the members of the council and not only with the Head of the concerned department who appears to be solely responsible for routine affairs only.

The category next to that of ministers is constituted of in-charges of the various departments not headed by the ministers. These officers are called *adhyakshas* or *adhipas* (superintendents) [9] It may well be inferred that these *adyakshas* or superintendents are not of one and the same grade. It is not likely that Superintendent of the army and that of the birds are to be remunerated in uniformity But all of them are independent in-charges of their departments and uniformity of their designations is maintained. Hence they constitute a separate category.

The third category belongs to inspectors called *darśakas* Sukra advises the king to appoint three men for each department—the wisest of them all at the head and the two others as inspectors and overseers (*darśakas*) for three, five, seven or ten years, and having noticed each officer's qualifications for the work entrusted he should make the necessary changes '[10] These *darśakas* appear to be chief deputies of the Head of the department in the effective implementation of the state policy The number of *darśakas* could be increased or reduced according to the importance of the jurisdiction to be managed—even only one officer with no *darśaka* could be appointed if the king feels no need for one [11]

The fourth category appears to be that of clerks, scribes and equivalent services to maintain records etc and do the field work Some inner hierarchy is naturally to be maintained according to the nature and responsibility of the work. These may be designated as subordinate services in modern terminology on the basis of the passage that tells that the subordinate (*apradhān*) may become the chief in time through constant service [12]

Next comes the category of attendents and manual workers Sukra gives a long list of different kinds of attendants and manual workers to be appointed by the king [13] They are

needed in different departments as well as in personnel service of the king. Some magicians and *tantrikas* are also included in this list who naturally should form a different grade. Similarly a goldsmith and a washerman are not likely to be ranked equally. We, therefore, may divide this category in two sub-categories leaving the scope for inner gradation as well seeing the long list which, however includes almost all the vocations The first sub-category may be constituted of the *śilpis* and king's personal servants etc., while the second belongs to the unskilled manual labourers and the men engaged in lower works like carrying nightsoil etc Thus Śukra, obviously, envisages a well-structured administrative system to meet the requirements of the State. The comprehensive list of the officers includes the specialists and their deserving assistants from almost all walks of life over which the State, according to Śukra, has its jurisdiction Even the fowler, repairer, washerman and the *mehatars* are not overlooked, what to say of the higher officers.

Qualifications and Responsibilities of Prominent Officials

Śukranīti, prior to prescribe detailed qualifications for each important post separately, lays down some general qualifications to be fulfilled to become a good employee The king is advised to examine these general desirabilities in an employee before the recruitment. It is suggested that just as gold is tested by reference to lightness or heaviness of weight, colour, sound etc , so also servants should be examined by reference to their work, companionship merits, habits, family relations etc by the king and he should place confidence in one who is found to be trustworthy [14]

Heredity is generally regarded as an essential qualification for higher and confidential posts. Sukra also supports the view but not blindly. The priority is to be given to higher borns if they possess other qualities but simply a birth in higher family with lesser qualifications is not to be preferred in the recruitment policy. He makes it clear by stating that work, character and merit are to be respected—neither caste nor family. He is absolutely correct that neither by caste nor

by family can superiority be asserted and one should not notice only the caste (or race) or only the family in making the selection.[15] Sukra puts much emphasis on the honesty and the kindness in the state recruitment : Truth and philanthropy are the two most sacred virtues—the king should always have servants having these virtues' and 'Envy is the greatest of all sins, mendacity is greater than envy. The king should not have servants having these vices.'[16] Qualifications and obligations of some important posts as prescribed by Sukra are discussed below :—

(i) *Gajādhipati* The man who is expert in the study of the elephants, the methods of training them, their diseases and treatment, the art of nourishing them and who knows their behaviour and can climb them and guide their movements should be appointed to take care of elephants.[17]

(ii) *Aśvādhipati* The man who knows feeling, castes and behaviour of the horses and can guide, train and treat them who is aware of their mettle, spirit and diseases, treatment as well as nourishment and who knows of their weight, their capacity for bearing weights, their teeth and their age, who besides is valorous, adept in military parades and wise should be appointed superintendent of horses.[18]

(iii) *Rathādhyaksha* The man who with all these qualifications knows of the yoke and the burden, who knows of the strength of chariots and is skilled in moving, rotating and turning them about, who by movements of chariots can frustrate the aims of the enemies and who knows how to fasten and protect the horses should be appointed as master of chariots.[19]

[illegible] requirements of specialization in all the aspects of [illegible] are prescribed by Sukra for the superintendentship of the various departments dealing with [illegible] and [illegible] of horses, goat, sheep, cows, buffaloes [illegible] and for being incharge of the departments of gold, silver [illegible] clothing, tents and furniture, granary [illegible] and [illegible] building and palace [illegible] for the [illegible] [illegible] shastra [illegible] on the

[illegible]

there are many functions involving multiple effects and the king should appoint officers for the discharge of such functions also after considering their fitness for these [21]

Some important officers may separately be mentioned · *senādhipa* : Those who are well-versed in *nitiśāstra*, the use of arms and ammunitions, manipulations of battle-arrays and the art of management and discipline, who are not too young but of middle age, who are brave, best controlled, able-bodied, always mindful of their duties, devoted to their masters and haters of enemies should be made commanders and soldiers irrespective of their being even śūdras or descended from *mlechchhas* [22]

Danādhyaksha : He is expected to supervise the distribution of charities from state to talented persons as well as to the needy and the beggars He should, therefore, be a person who does not disappoint any beggar, does not amass wealth and is charitable by nature He should be able to detect the merits of others and should have no greed and sloth and is expected to be kind, sweet-worded and aware of the objects of charity.[23]

Devatushtipati : He is supposed to superintend the religious establishments and institutions hence he is required to possess obedience to his own duties in life as well as devotion to religious practices and should have no greed and hankering.[24]

Sāhasādhip : He appears to be responsible for maintenance of law and order and, therefore, is required to be neither too cruel nor too lenient.[25]

Grāmādhipa : He is appointed to protect the villagers from aggressors, thieves and also from officers. His behaviour should be like that of parents.[26] It appears that *grāmādhipa* is somewhat superior to *sāhaśādhipa* and both have some common duties to perform.

Bhāgahāra : He is collector of taxes from people He is required to be kind and just. Śukra compares him with the gardener who collects flowers and fruits after having duyl nourished the trees with care [27]

Lekhaka · He is required to maintain records of different matters and perhaps sometimes may be required to deal with office properties etc. He is, therefore, expected to have skill in accounts and to write without vagueness and hesitation. He should know of the differences between countries and languages [28]

Saulkika He is appointed to collect duties etc from traders He should, therefore, behave in such a way as not to destroy their capital [29]

Goodhachara He is a spy supposed to inform the king about the feeling and behaviour of people and employees as well as of enemies. He should, therefore, be adept in understanding the activities of enemies, subjects and servants and be able to reproduce faithfully what they hear (should have a retentive memory and understanding of human expressions and movements) [30]

Antapura Servant He is to serve in the inner apartments of king's palace Those who are sexless, truthful, sweet-tongued, borne of respectable families and are of beautiful forms should be appointed in the inner apartments [31] Śukra gives a comprehensive list of the other servants to be appointed by the king for his own welfare and satisfaction.[32] This list includes, among others, the songsters, artisans and artists, poets, fools ventriloquists dancers and harlequins, prostitutes as well as gunners, makers of artificial forests, makers of lighter machines, gun-powder, arrows etc , potters, carpenters tailors, barbers, washers, goldsmiths, coppersmiths, sailors, miners and even fowlers and persons to carry night-soil. These all are expected to have commendable expertise in their respective fields

Śukra should be highly appreciated for the detailed description of the qualifications and duties of the employees of different cadres and departments. But sometimes he gives contradictory statements regarding the consideration of caste in making the selection Ten advisors of the king are required to be *brāhmans* but in the absence of a deserving *brāhmana*, Śukra agrees to appoint a deserving *ksatriya* in his absence also a deserving *vaiśya*—but he never recommends

a śūdra, even a qualified one, for such a higher post[33] while he agrees to the principle that neither caste nor family should be a measurement of superiority and it should be taken notice of in making a selection [34] It may appear that in the absence of the deserving candidate of the prescribed caste, some one from the lower but not *śūdra* caste could be considered. But Śukra categorically denies the possibility of the appointment of a *vaisya* to the post of the commander The commander is to be a *ksatriya*, and in his absence a *brāhmana*. Neither *vaiśya*, nor *śūdra* nor a coward [35] It appears that Śukra, being a pragmatic thinker, does favour the deserving one irrespective of caste or family but the rigidity of *varnadharma* does not allow him to give a definite opinion.

Relations between the King and the Employees

Śukranīti favours the feeling of mutual trust and welfare between the king and the employees without which no state can prosper. It has been emphatically declared that the wealth is there always present where the officers and the king both are in good relationship [36]

The servants are expected to have complete loyalty to the king and consequently always watch king's interests even at the cost of their life : 'I am sure to accomplish first what is absolutely necessary for the king even though at the risk of life Please command me—thus saying one (the employee) should at once proceed with the work according to one's ability. And one should sacrifice even his life for great deeds and for kings.[37] The employer is supposed to protect the king by even one's own wife, children and wealth at proper time.[38] He should respect not only the king but his friends and relatives as well and should come immediately to him leaving thousand important actions when called by the king [39] Śukra expects the servant to respect the king as if the latter is the second self of Vishnu. *Śukranīti* advises the servant not to desert a good king even if he has fallen into distress as one should always wish for the good of him whose food he has taken once in life. The king is protector, hence good of him should always be wished.[40] Śukra elaborately discu-

sses the rules of behaviour of the employees with king but the central theme is loyalty with respect Śukra tells the three grades of the servants according to their attitude : The excellent servant is he who is devoted to the master. The mediocre is he who serves the giver of remuneration The worst servant is he who serves another master, even though maintained by one [42]

The king, on the other side is also supposed to have love, trust and kindness for his employees and to satisfy them in order to make them work enthusiastically. He is advised to satisfy his servants (and also the people) according to their qualification some by spreading out branches, other by giving fruits He should be gentle and smiling and sweet-tongued and should offer good feast clothes, and betels and wealth The king is advised to enquire about well-being of his servants and to offer gifts and royal honours He should gratify them by mercy obeisance respect, attendance, services knowledge love affection, association, offer of half one's seat or the full seat, praise or recital of the deeds done for the good of other [43] The king thus, is expected to take cognition of loyal and able servants and to encourage them by different methods If the king does not care or has no love for the employee, the latter is advised by Śukra to leave the former the servant should desert such a king as does not remember good done for him is not satisfied with good service does not remember the [illegible] between remarks is suspicious and gives pain to feelings when aggrieved [44] Śukra obviously does not favour harsh treatment with the employees as it makes them enemy of the king [illegible] master by harsh words low wages severe punishments and [illegible] It brings out in the servant the [illegible] of the enemy and those who are satisfied with wages and [illegible] by [illegible] and pacified by [illegible] [illegible] the master [45]

[illegible] emphasis on the [illegible] servants and the king [illegible]

[illegible]

[illegible]

[illegible]

gations. Śukra gives the example of Rāma and the monkeys to explain the mutual cordiality of the servants and the king and asserts that the excellent servant does never desert his master in difficulty and similarly the excellent master could sacrifice his life for his servant[45]

Characteristics of a good Employee

Śukra describes in detail the main characteristics of a good servant. He is required to be truthful, meritorious, celebrated and the wealthy (this perhaps cannot be taken as essential characteristic) as well as a man of higher birth whose habits are good and who, doing good deeds without any sloth, performs the duties of their master even better than their own work by the four-fold qualities of body, speech, thought and diligence. He should be satisfied with salary only, is sweet-tongued, expert in action, pure and firm, skilful in doing good to others and is averse to evil ways He is advised to observe even the son or father of the master if they make any injury to the latter He never protests the statement of his master, nor does give any publicity to his shortcomings. He is free of envy, never insult any body and pays respect to his master's wife, children and friends. He is always unambitious and contented and never encroaches upon the rights of others. He is expected to put on the clothes, ornaments etc. offered by the king to show his gratitude and always spends according to his salary. He is courageous but simultaneously moderate and kind. Śukra calls him excellent servant who in private discusses the evil deeds of his master with the latter but never gives publicity to them.[46]

Characteristics of a bad Employee

A bad employee, obviously, does not possess any of the qualities described above One who is underpaid and have been regularly punished for his faults, is cheat, coward, greedy and hypocrate in speech is to be called a bad servant. The passionate, the vicious, the diseased, seeker of bribes, the gambler, the atheist, the vain and dishonest as well as envious, an insulted one, pricked by harsh words, the friend or servant of the enemy, the ferocious and the daring as well as the irreligious one can never be a good officer.[47]

Śukra, thus, realizes the contribution of loyal and efficient employees in administration and advises the king to recognize and maintain them. One who is not interested in the prosperity of the king and the people at large and is interested only in money could never be commendable for good and efficient administration.

Service Conditions

Śukranīti puts much emphasis on the satisfaction of the employee as a dissatisfied servant, far from being an asset, becomes an enemy of the king. It has been stated : the master by harsh words, low wages, severe punishments and insult brings out in the servant the attitudes of the enemy. Śukra, therefore appears in favour of satisfactory service conditions in order to make the employee feel satisfied and hence be grateful to the king. He has elaborately discussed the principles regarding wages, promotion, transfer, leaves, dismissal etc.

Wages. *Śukranīti* mentions three kinds of wages i.e. *kāryamāna*, *kālamāna* and *kāryakālamiti* paid according to time, work or according to both and further explains the same : if one is paid for an assigned work (this weight is to be carried by you thither, and I shall give you so much for your work) it is called *kāryamāna*; if the payment is made on the basis of time (every year, month or day I shall pay you so much) it is called *kālamāna* and if the payment is made on the basis of both ('so much work is to be done by you in so much time and I shall pay you so much') it is termed as *kāryakālamiti* wages.[48]

Śukra, however, favours a system of wages which even at its lowest is sufficient to maintain the employee with his dependents. He lays down the principle that while fixing the remuneration or salary the merit as well as need of the servant are to be taken note of. Śukra calls wages [illegible] which supplies the indispensable food and clothing [illegible] wages is that by which food and clothing are [illegible] [illegible] wages can be made [illegible] [illegible] the rates of wages [illegible] [illegible] the work [illegible] the wages should be [illegible]

by the king that the servant may maintain those who are his compulsory responsibilities.[50] Being a pragmatic thinker Śukra rightly warns the king that the servants getting low wages are enemies by nature, helpers of opponents and seekers of opportunities and plunderers of treasure and people.[51] It is natural that a low paid employee, who is not able to maintain his family by the wages alone, is likely to be corrupted by the enemies and other selfish and vicious persons The king, therefore, is advised to pay as much at minimum that the servant may not fall prey to enemies under the compulsion of fulfilling his basic needs

Śukra favours the idea of fixing wages also according to the speed of the worker. He mentions three types of servants i e. in-active, ordinary and quick, their wages have to be fixed accordingly and are called *sama*, *madhya* and *śreshtha*, respectively.[52]

But Śukra, even in his wage policy, appears to be swayed by caste considerations. He recommends wages which could supply more than mere food and clothing to twice-borns but draws a separate rule for *śūdras* and recommends that wages of *śūdras* is to be just enough for food and raiment.[53] It is, thus, evident that Śukra comes very close to modern experts in the science of wage—fixation A combination of merit, need and efficiency is to be made to fix the rates of wages—almost all the modern pay commissions are required to take these three into consideration in order to formulate a wages policy with least anamolies. Śukra deserves to be appreciated for adopting such a liberal wages policy—with the only exception of Śudras—in a monarchical order without feeling the pressure of trade-unions and strikes

Promotions and Dismissal

Śukranīti, in order to reward the efficient workers as well as to punish the inefficient or vicious servant, lays down a policy for promotions and demotions. It is clearly stated that the increases in the salary should be made according to the qualitative development of the servant by the king carefully for his own welfare.[54] In another passage the same view is expressed : as the officer becomes qualified for the higher

and higher functions, he should be appointed to the higher and higher post. At the end he should be a *prakṛti* (one of the ten advisors).[65] The employees are, therefore, advised to be loyal and efficient in order to reach the top of the ladder. The subordinate is likely to become the chief in time through constant service; and reversely the chief may also become subordinate through idleness in service and it is declared that the man who is ever serviceable and performs his work enthusiastically soon becomes a favourite of the king.[66]

The above passage, however, also lays down the principle of demotion for inefficiency and idleness in service. Śukra puts much emphasis on this aspect by referring it again and again. The king is advised to take the side of the aggrieved people and not that of the unjust servants. He is expected to examine the concerned case impartially and to take necessary action against the guilty officers. Śukra asserts that the king should remove an officer from the service if hundred people make complaint against him. The guilty minister, if he is the first defaulter, should be punished by the king in private but should be punished in public and removed from the service if he proves a regular offender. The king is advised to take away all the property belonging to an unjust officer who does not behave according to the *nītiśāstras*.[67] It is also stated that an inefficient and undeserving person should be replaced by a deserving one to perform the duties of a post but the preference should be given to the son of the removed one if he possesses the required ability.[68] The king is advised against the servants who are cruel, dishonest and untruthful.[69]

It appears that Śukra, thus, favours the theory of the promotion of servants according to the merits. The principle of mere seniority fails to gain any ground in *Śukranīti*. It is felt that basic necessities of all types of servants should be met but the criterion for promotion to the higher posts could not be any thing but merit. This, undoubtedly, sounds a ... lthy policy.

... Śukra appears to share the modern view that an ...oyee should not remain on the same post for longer

periods. He argues that as one is likely to get intoxicated by drinking the wine of power, no body should be allowed to remain on the same seat for longer time The king is advised never to give any office for ever to any body and every body. The king should appoint other man in his place after examining his fitness or the apprentice who is qualified for that task or even outsider in his absence. The king may appoint the son of the preceding officer, if he is qualified, in the place of his father. Śukra advises the king to appoint the predecessor to some other department if the latter is qualified.[60] Śukra extends this principle even to the council of ministers and advises the king to transfer them to each post by rotation or according to their qualifications [61]

This transfer policy makes the employees competent for various and different functions of the state besides keeping the administrative ministries toned up

Leave : *Śukranīti* frames the rules for various kinds of leave for servants in detail. The servants should be granted leave for one *yāma* during day time and for three *yāmas* during night for the discharge of their domestic duties and taking rest etc. The servant appointed only for day time should be made free for half-a *yāma*. It appears that Śukra is in favour of keeping holidays on occasions of festivities but essential services are to be performed even during such holidays by the servant except, of course, *śraddha* days.[62] The king should allow a respite of fifteen days a year from the work with full remuneration [63]

Śukra also sanctions medical leave to the servants with, although, some deduction in the actual remuneration A leave for one week on medical grounds is to be sanctioned with full pay. If the employee falls ill for a longer period but has worked for five years, he should be granted leave with a quarter less than the usual remuneration. He is to be given three months salary at the most if he falls ill for one year. He can be given six months salary in the case of illness continuing for more than one year But no body is allowed to get more than that in any case. Śukra, in that case, offers some solace to the diseased person by advising the king to

appoint or subititute the man who is suggested by the former Śukra, however, suggests to pay half the wages to an ill servant if he is highly qualified.[41]

There can be no doubt that Śukra, while framing the rules of ordinary or domestic as well as medical leaves, has taken into account not only human considerations but the interests of the state as well By suggesting to appoint a representative of the diseased person as his substitute, he attempts to bridge the diverse interests of both the parties.

Pension and bonus etc.. It is a pleasant surprise that Śukra offers a handsome pension to the retired man and his family. The king is asked to give for life half of the regular salary without making him to do any work to the man who has served the king for forty years; to his minor or incapable son and similarly his wife and unmarried daughters half of the pension of the retired servant The king is expected to give one-eighth of the regular salary as yearly reward and the more able persons who have done the work with speed and efficiency are to be given one-eighth of the remuneration of the work done as a kind of bonus.

If the death of the servant occurs while working for the king, the son of the former would receive the full salary of the deceased until he is a major and the king is expected then to appoint him after examining his qualifications. The king, according to Śukra, should deduct and deposit one-sixth or one-fourth of the regular salary of the employee and should pay half of the amount so collected or sometimes the full in two or three years.[43] Some scholars see here the idea of establishing a kind of Provident Fund suggested by Śukra.[44]

A close scrutiny of the service conditions as suggested by Śukra leaves no doubt of his being a practical as well as a humane thinker Satisfaction of the worker, according to modern researches in the science of management, is always a contributory factor in the efficiency and high rate of the productivity of the worker. Śukra, astonishingly appears to understand this complex idea very well and hence attempts to make the king satisfy his employees 'for his own welfare.' No prominent Hindu thinker, except Śukra and Kauṭilya, has paid so

much attention to the satisfaction of the worker. Kautilya, like Śukra, also does discuss the service rules and the benefits for the employees in detail [47] Manu has not paid any attention to this side and Bhishma, though describes the characteristics of good servants in detail, does not suggest any principles or rules for the welfare of the administrative personnel. Śukra should, therefore, be appreciated for his original and remarkable ideas regarding the welfare of the employees of the State

Code of mutual conduct of Servants

Śukra is well aware of the envies and consequent factionalism among the servants. He, therefore, does not encourage any sort of back-biting He advises officers not to envy each other, nor to get into conflicts They should work within their jurisdiction decided by the king. An officer is not expected to talk of other's faults to any body, even to the king who is also advised not to express deeds of another officer though he has heard of them nor should he hear of them through some other source [48] This is likely to create a cordial atmosphere and mutual trust between the various kinds of employees and would naturally *result in administrative efficiency* and prosperity of the king and the subjects as well as of the employees.

Office procedure

Office procedure, like service rules, has been discussed in great details by Śukra. A portion of it has already been discussed while dealing with the working of the Council of Ministers which does not need any repetition Only it could be pointed out that any proposal or suggestion could come to the king only through proper channel from the Head of the concerned department via *amātya, sumantra, pratinidhi*, crown-prince and the *purohita* [49]

The most important thing in the official procedure is the emphasis on written papers. The employee should present his proposal in written form and the authorities, even the king himself, is expected to make their order in writing duly signed with seal. Śukra asks the servant not to do any thing without written state—order. The king is also expected to

order any thing big or small in writing. Śukra argues that the written document not only serves as a record but is the best guide in confusion for to err is human. He goes to the extent of calling those employees and even the kings thieves who prefer to do any thing without written documents [70]

Śukra insists that the written order from the king should also bear the seal with his signatures. He tells us about the categories of written documents one bearing the king's seal and hand-writing is the best—as the king's seal is the real king, the document signed by the king without seal is of a good validity-*uttam*-while that signed by ministers is *madhyama* and that written by the citizens is inferior. But all are valid [71]

The ministers and officers are supposed to maintain and submit the reports of their work-progress daily, monthly annually and once during many years [72] It appears that these reports would serve as a written proof of one's merit and efficiency in the consideration for promotions. They are expected to maintain a record file (*smṛtipatra*) for men are likely to forget or mistake past things [72] Śukra's emphasis on written documents and record file are of much significance even in modern times for the scientific methods of public administration. Each and every thing is required to be explained fully and should exhibit an impersonal character, hence emphasis on written orders etc.

Śukranīti talks of a number of written documents called *patra* or *patraka* of which many are concerned with the governmental work. The written documents are classified in two main kinds the first deals with the description of works or deeds and the second is concerned with the accounts work [73] The first is concerned with the general administration while the second is mainly related to revenue affairs. It would be useful to mention here some of the documents related with general administration. A document which contains judgement of a case or suit with all its details and arguments from both the sides is called *Jayapatra* [74] This is essentially [illegible] [illegible] administration

Ajñāpatra, *prajñāpanapatra*, *śāsanapatra* and *prasādapatra* are administrative orders from the king The first document is related with the ... the

The

d to

other

venerable persons are informed of the rites they have to perform. A *śāsanapatra* is a document duly signed by the king with seal which contains regulations and orders for the subjects. The fourth one contains the order of the king conferring land, honour etc, on persons with whose services, valour etc; he is satisfied [75]

Some *patrakas* are *bhogpatra* (giving right to use) *karapatra* (giving right to tribute) and *upāyanpatra* (giving rights to presents) the last one being of two kinds; giving the right to presents or privileges for generations and for certain stated period only respectively called '*purushāvadhika* and *kalāvadhika*.'[76]

These *patrakas* may be equated with the modern executive orders and notifications and should not be confused with the laws or ordinances which are essentially of a legislative character as the *patrakas* eppear to be documents containing description of the executive nature.

Provincial Administration Etc.

It is strange that *Śukranīti* does not discuss the administration of provinces separately. It may be argued that he has no visi ... ; state or empire, but his description of kinds of ki ... leaves no room to doubt in this direction ... most likely that Śukra expects the provincial ... the model of the central king's administ- ... naturally supposed to rule according to the ki ... d the spirit of *dharmaśāstras*.

So f ... administration is concerned, Śukra ... officers—a village or small tow ... governed exactly on the model of ... ese officers are called *sahasādhipati* ...), *grāmaneta* or *grāmpa* (headman

of village) *bhogahāra* (the collector of land revenue) *lekhaka* (Clerk) *saulkika* (Collector of taxes- tolts, duties etc.) and *pratihāra* (watchmen) [77] Some scholars think that *pratihara* is a news-bearer [78]

The Human Factor

The experts of public administration take it as a science of the management of public affairs but as has been argued by some humanist thinkers administration remains 'in the final analysis, a human problem . . . the test after all is the human beings and their welfare.'[79] Śukra also appears to realize this principle He attempts to build a big organization based on standardized systems and methods but never forgets the human element His advices regarding the service conditions of the employees as well as his sympathy with the aggrieved people against the officers supply ample testimony to bracket Śukra with those thinkers who believe that it is the people who matter and the administrator is not a master but a servant When Śukra asserts that one should never do any thing that is good to the king but is harmful to the people, he appears to support the above view. He categorically declares that the king (source of administration) should serve all people like a servant [80]

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7

Revenue System Sources & Discharges

Revenue System : Sources & Discharges

Significance of the Treasure

Treasure has been regarded by Hindu political thinkers as one of the seven limbs of the body politic [1] The army and treasure are considered as root of one another as well as of the state by Śukra. State cannot be protected without army and army cannot be maintained without treasure The prosperity of state is led by treasure, army and absence of the enemies [2] Kautilya, Bhishma and Kāmandaka also support the same view [3]

Significance of the treasure is proved by the fact that all these thinkers, including Śukra, advise the king to supervise personally the affairs of treasury. Manu asserts that the treasury and realm depend specially on the king [4] Śukra also advises the king to supervise the accounts daily and verify it physically (*pratyakshta*)[5] The king is compared with Kuvera on the ground that the former projects the treasure and possessions of the state in the same way as the latter protects the jewels of the universe.[6] Śukra, it is obvious, deeply realizes the significance of the treasure.

Characteristics of a good Treasure

Śukra also suggests the amount for a good treasure a king should endevour to create. He advises the king to maintain treasure which may maintain the army for at least twenty years without fines, land revenues and duties.[7] It, no doubt, appears as a very difficult condition The king should also collect the grains sufficient to meet the demand of three years. He is advised to store up those grain that are well developed, bright, best of the species, dry, new and have good colour, smell and taste, durable and dear ones but he should not preserve the rotten ones and sould replace every year by new produce the exact amount of those consumed. Śukra

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suggests that besides grains other useful things and instruments like medicines, grasses, minerals, woods, arms, weapons, gunpowder, cloth etc., should also be preserved for difficult times.[8]

Besides these physical characteristics, Sukra also mentions the attitudinal characteristics to examine the goodness of the treasure The treasure is classified in two categories: *sukhada* (imparting happiness) and *dukhada* (causing misery). If the treasure is collected for the maintenance of the army, and subjects and for the performance of sacrifices, it is called one that leads to happiness in this life and hereafter; the *dukhada* treasure is made for wife, childern as well as for self enjoyment—it naturally leads to hell and denies happiness in this life as hereafter [9]

This passage clearly indicates the primary functions of the treasure. It aims at maintenance of army, protection of subjects and the performance of religious celebrations like *Yajans* The prosperity of the treasure is desired so as to meet the requirements of the emergency situations.

Sources of Treasure

Three regular sources of the income of the treasure have been approved by Hindu Political thinkers. These are: (1) king's share in the produce, (2) duties and tolls etc. and (3) punishments Sukra mentions all the three by stating that these should not be augmented in normal times [10] He describes various kinds of fines to be received from the offenders,[11] and different forms of taxes and duties[12] in detail.

Among other sources the wealth of the defeated kings and tributes are prominently mentioned It is said that the king is allowed to take away by craft or force or even robbery, wealth from the *adharmashil* (vicious) king—and also from kingdoms of others.[13] The fourth source is to be exploited only in times of crises when the king is authorized to take away [illegible] rich men with the promise to return it to

It is remarkable that Śukra mentions the sources mostly mentioned by the theorists of the public finance in modern times The moern economists mention compulsory and voluntary sources as well as sources partly compulsory and partly voluntary. It has been established that various kinds of taxes, fines from offenders, compulsory loans and tributes and indemnities arising out of war or for other reasons; income for the services rendered by the government and public property is called income from voluntary payments and the third is created through betterment levies and other special assessments, voluntary gifts etc All these sources include almost all kind of taxes, fines, loans, fees etc, in a modern state but the distinction between them is not clear enough and they mingle with each other.[15]

Śukra mentions different kinds of taxes which are compulsory and voluntary both. Land revenue, duties on goods and share in the profit are essentially of compulsory character; similarly, tributes, wealth of the defeated kings, and fines and loans in times of crises come under the same category. Similarly, the tax from those who use the streets for the preservation and repair of the same should be classified under the second category as this is collected against the services rendered by the government.[16]

Śukra, strange enough, does not mention different kinds of voluntary gifts received by the kings which comes under the third category. It is to be noted that the author of *Śukranīti* does not live in the modern age and hence could not imagine all the activities and revenue sources of modern state. But he, undoubtedly, mentions the sources—mostly compulsory ones which are primary sources of a modern state also. We do not equate Śukra, therefore, with the modern economists but want to appreciate his understanding of public finance.

The using is classified by Śukra in three categories according to the sources of his treasure It is said that one, who, protects his subjects, makes the enemies tributaries and increases the treasure by their wealth is the best (*śreshtha*) king; the *madhyama* (middle one) increases the treasure by commercial attitudes and practices also and the third is

[illegible] whose *treasure* is increased by service and receipt [illegible], holy places and lands consecrated to the gods.[17]

Principles of Taxation

Taxation being the chief source of revenue has been comprehensively discussed by Śukra and some principles could very well be drawn out of this discussion.

Śukranīti puts much emphasis on the responsibility of the tax as well as on the ability of the payer. The king is advised not to cause any hardship or sufferings to the tax-payer in levying and collecting the taxes. *Borrowing freely from* Panchatantra,[18] Śukra applies the simile of garland-weaver suggesting thereby that the king, while collecting the taxes should not harm the people : the rent is to be *realized* in the manner of the weaver of the garland and not of the coal merchant.[19] As has been explained the coal merchant sets fire to the woods to make charcoal and thus destroys the whole property *but the weaver of the garland* plucks from the trees only those flowers which are fully blown and preserves the rest as well as the tree for future use.[20] This theory is well supported by most of the Hindu thinkers. Śukra declares in *plain terms that the king* should take his share from the peasant in such a way that the latter is not ruined.[21]

ave got a fair remuneration or profit for the work. Śukra ames some rules to qualify this Firstly, the king is advised desire revenue only after ascertaining the amount of produce om the measured plots of land, whether great, middling or nall and then apportion it among them[23] Śukra leaves no oubt as to which agriculture is to be claimed as successful yields a profit twice the expenditure (including government emand) after duly considering the variations in actual roduce ; any thing less is regarded as unsatisfactory[24] milarly, a thing is to be taxed once and not twice or more.[25] ukra is also in favour of imposing taxes on net profits and ot on gross income or sale value and the king is advised not realize duty from the seller if he receives less than or just qual to the cost.[26]

is also to be noted that *Śukranīti* does not generally favour ny increase in the taxes The king is forbidden to levy new axes and even the employees of the State are advised not to ggest new modes of taxes to the king[27] The increase is llowed only when the king is raising an army to face the nemy. He, then, could impose special grants of fines, duties c. and is allowed to take away the wealth of rich men with e promise to return with interest when the danger is over[28]

milarly, Śukra appears to support the principles of roportional and sometimes of progressive taxation but he ever supports the regressive taxation. It is to be noted that a ax is called proportional, progressive or regressive depending pon whether it takes from high income people, a large raction of income or a smaller fraction of income than it akes from low-income people.[29] Śukra also says that the ing should realize the taxes taking into the proportion of nvestment and profit[30] He qualifies it by stating the rates f taxes on different minerals; the tax on gold or gems is igher than silver which in its turn, is taxed heavily than opper and so on. It has been plainly admitted that the king hould realize taxes from peasants etc. after noticing the mount of profit.[31] Even the source of irrigation and quality f land are to be taken into account in making tax demands. Sometimes, Śukra appears to favour the proportional principle;

he fixes the rates of taxation on a number of the articles as well as on the income from interest.[32]

It is thus quite obvious that Śukra's views regarding taxation are greatly in tune with the spirit of modern principles. The king is authorized to receive tax for the protection he gives to the people—in order to support this theory even the taxation itself is advised to be so formulated by Śukra and others as not to do any harm to the other side—especially the poor ones This view is to be compared with that of the medieval Europe where the priviledged class was required to pay less or no taxes while the poor and unpriveledged were always heavily taxed.

Exemptions from the Taxes

Śukra mentions some conditions in which tax exemption is to be applied. He does not state any case where the total or absolute exemption is favoured—only the cows milk etc. and purchase of grains and clothes for domestic purposes is to be freed from taxation [33]

In normal times, the king is advised against levying any sort of taxes on the holy places and the property consecrated to the religious purposes-but he is allowed to receive taxes from the same in the times of danger.[34]

It appears that Śukra favours the idea of total examption for holy or religious property from taxes but, realizing the danger country might face, allows the king to receive money in times of war or some sort of national calamity. Śukra also favours conditional tax-exemption to be applied as incentive to the people with initiative and enterprise. It has been declared: if the people undertake new industries or cultivate new lands and dig tanks, canals, wells etc. for their good, the king should not demand anything of them until they realize profit twice the expenditure.[35] It is to be noted that Kautilya also favours such tax incentives for enterprising people [36]

It is, however, strange that except these two conditions Śukra does not appear to favour any sort of tax-exemption. Many of the authorities have exempted brahmans (some favour only [illegible] ones) and the disabled persons and military

ges from taxation[37] but Śukra does not make any mention ese. It simply means that being a pragmatic thinker a does not desire to loose any source that may increase reasure which is the root of the army and the protection ne kingdom.

Tax Proposals

l tax has always been the main source of income to the l treasure.

erally, one-sixth of the produce has been favoured as e's share but there has been a difference of opinion rding this among *dharmaśāstrakāras*. Manu, Gautam, *u dharmasūtra* and the author of *mānasollās* have preferred rent rates of taxes to be imposed on agricultural produce ing from one-sixth to one-twelfth of the total produce.[38] *raniti* frames its own rules regarding the agricultural tax ording to the irrigation facilities with the conditions that peasant should at least get a profit twice the expenditure luding government demend) the king should realize one-d, one-fourth- or one-half from the places irrigated ectively by tanks, canals and wells, by rains and by rivers. should receive one-sixth from the barren and rocky soils.[39] allowance of one-twentieth part of the total tax is to be de by the king to the cultivator who gives hundred silver *shas* or more.[40] A royalty from mines is also fixed according he principle of progressive taxation : half of gold, one-rd of silver, one-fourth of copper, one-sixth of zink lead l iron, half of gems and salts etc. after the expenses have en met.[41]

e king is advised to take one-twentieth from the collectors l sellers of grasses and woods etc.[42] The tax on cattle is ed as follows : he should have one-eighth of the increase goats, sheep, cows, bufalloes, and horses and one-sixteenth the milk of she-bufalloes, she-goats and female sheep and ws.[43]

ven the artisans and artists are required to work for one y in a fortnight without remuneration in lieu of the tax to paid by them.[44]

The king is advised to receive as income tax one-thirty second portion of the profit or interest of the usurer[45]

The land rent from residential and commercial land is also to be received[46] Some scholars suggest that this rent should be fixed on the same rate as that for cultivation[47] but this does not appear to be convincing as the rent on agricultural land is decided according to the irrigation source and produce of the land which is not possible in the case of the residential and commercial lands.

The king is advised to receive tax for the maintenance and repair of the streets by Śukra in the passage above quoted.

Śukra fixes the rate of duty (*śulka*) as either one-thirty second portion of the total cost or only the one-twentieth or one sixteenth part of the actual profit accruing from the article to be sold or purchased. The king, however, is advised to receive *śulka* only once The article that does not produce any profit to the seller is not to be taxed.[48]

These rules make it obvious that Śukra plans to impose taxes etc. only on the profit. He appears to favour the idea of direct taxation. These rules make clear a point which has aroused a great controversy among the historians regarding the ownership of the land. Śukra's royalty rates from minerals and his imposition of tax as the land not only on agricultural but on the commercial and residential ones as well prove it beyond doubt that he favours the idea of the king being owner of the land.

Tax-Collectors

Śukra mentions two officials who appear to be tax-collectors from different sources The first is *bhāgahāra* who is advised [illegible]

[illegible]

(a deed of rent to the cultivator is also suggested to indicate separately the part of each peasant of the village) and receive it from the rich men in advance or make him a guarantee for periodical instalments He is advised to appoint a *grāmapa*—headman of the village—by giving one-sixth of his income from the village to look after its well-being[49] The

bhāgahāra should naturally be linked with this officer. The other official is called *Śaulkika*[50]—one who receives duties. It appears that he should also be responsible for receiving royalties from the mines as no other official for this work is mentioned.

At central level, the in-charge minister of this department is called *amātya*[51]

Items of Expenditure of the State

Śukra is perhaps the only author who supplies detailed information about the state expenditure. The authors of *arthśāstra, mahābhārata* and *smṛti* are generally silent over this issue; only some information about king's expenditure is sometimes given but department-wise estimate of state expenditure has never been given but by Śukra.[52] According to him the state-expenditure is to be itemed in six parts: The king is advised to divide the total income of the state and allocate three parts of it to army, half of it for the charity, half of it should go to the minister (*prakṛti*) and half of it for the salaries etc. of employees; the same amount is allocated for the expenses of the king (*ātmabhāga*) and one part (one sixth of total income) is to be deposited in the reserve fund so that treasure could always be increasing. It is also seperately stated that the king should appoint *grāmpas* by giving one-twelfth of the total income of the concerned village.[53] For a king having income of one lac *karshas* per year, Śukra suggests that he should distribute his expenditure as detailed below.[54]

Items	*Per month*	*Per year*
(i) Personal wants, contingencies charges etc	1,500	18,000
(ii) Six clerks or scribes	100	1,200
(iii) Three councillors	300	3,600
(iv) Family	300	3,600
(v) Learning and education	200	2,400
(vi) Horse and Foot	4,000	48 000
(vii) Elephants etc. & fire arms	400	4,800
(viii) Savings	1,500	18,000
Total :	8,300	99 600 (about a Lakh)

It appears that this expenditure is suggested by Śukra for a small king or one who is feudatory under some other great king. He places the rulers having their annual income between one lac *karshas* to three lac *karshas* in the grade of *sāmanta*, even the people who are appointed by the king to collect revenue of one lac *karshas* are also similarly designated.[65] A comparison of both the budgets strikingly reveals that almost equal emphasis is laid on army expenditure and reserve fund. The first budget keeps fifty percent for the army while the second one allocates forty-eight percent for cavalry and infantry plus about five percent (4.8% actually) to elephants, fire, arms etc., thus amounting to a total of 52.8 percent of the total income. Similarly, $16\frac{2}{3}\%$ of the total income is allocated for reserve fund in the first budget and the second one keeps its 18 percent for the same purpose. Śukra has said that treasure is the root of the army and the army is the root of the treasure and this budgetting also supports the significance of the both.

Some scholars suggest that a study of the second budget meant for a small kingdom also tells us some remarkable things about the wage-structure of the government employees.[66] Śukra appears to favour a 1:6 ratio in the remuneration of the employees. Six clerks are to be paid hundred *karshas* each getting $16\frac{2}{3}$ of these per month while the monthly salary of a councillor who is the highest paid employee of the king is one hundred *karshas*. This ratio is not prevalent even in the socialist states today.

It is also to be agreed that percentage of the revenue spent on the works of public utility is small.[67] This view is likely to be supported by the striking fact that Śukra does not mention public welfare works to be attended by the State. One-twelfth part of the first budget is allocated for charity purposes but it must be essentially of a religious nature including some assistance to scholars and writers etc. But no separate mention of what is called public works department in modern terminology is anywhere made. It appears that poor and needy people as well as institutions are to be supported by charity provisions but Śukra's State does not take

the responsibility of public works or irrigation facilities etc. on its shoulders. A mention of the construction and maintenance of rest houses (*panthaśālās*) between the two villages under the trusteeship of the *grāmapas* is made by Śukra.[58] But it is not clear whether these rest houses were to be constructed and administered by the State. It appears that physical protection and maintenance of *dharma* are the two primary functions of Śukra's State; hence the budgetory emphasis on army, reserve fund and king himself The expenditure on these three items is 4½ portion of the total budget while only 1½ portion is to be spent equally on charity and other welfare works as well as ministers (*prakṛitis*) and other officials (*adhikāris*) This proves that although theoretically Śukra's State is held responsible for all the life activities practically its aim is only protection of the people including punishment to the wicked, a natural corollary of the protection-principle

Maintenance of Accounts : Various types of Income & Expenditure

Śukra, being emphatic on the significance of treasure, discusses the principles of accountancy and book-keeping in detail. He mentions two types of documents , the first containing the descriptions of different administrative and executive nature is called *vritta lekhya* and the other type containing the description of accounts is called '*aya-vyaya lekhya*'—document that is related with accounts of income and expenditure [59]

Śukra mentions a number of documents of keeping accounts and makes it clear that they are named according to the differences in the amount (great or small), values and measurements He also defines income and expenditure ; the first denotes the bringing under possession gold, cattle, grains etc., annually, monthly or daily' and the expenditure means the giving away of possession of wealth to others.[60]

(a) Types of Income[61]

The income is said to be primarily of two kinds ; the immediate or new and the old or accumulated (*saṁcita*) The *saṁcita* income is again classified by Śukra in three categories

which in their turn are sub-catogorized. The three catogories of *samcita* are : (a) that whose proprietary rights are known to belong to others (*niścitānyaswāmika*) (b) that whose owners are not known (*aniścitānyaswāmika*) and (c) that which is surely one's own (*swaswatraniścita*) The second category means the wealth like the jewels, gems or any other thing picked up in the streets etc or some underground money hidden by an unknown person found by other man The first category of the wealth belonging to another but known person is sub-categorized by Śukra in three types. the first is called *aupānidhya* or *aupānidhika* which is placed with one by good people through confidence ; the second is *yācita* which is collected without any interest and the third is *auttamārnika* which is borrowed at some interest.

The third category of accumlated income is sub-divided under two heads : the first is normal (*sahajika*) and the second is *adhika*. The normal income is said to be growing regularly by days, months or years, *adhika* (translated as artificial by some scholars[62]) is constituted of the profits of sale, interest, wealth realized by services rendered, rewards, remuneration, wealth conquered etc while income from all other sources is called normal. It has been pointed out that the *adhika* class would be what is known as quasi-economic receipts of states in modern times i e revenues accruing not from the normal functions of the state as a political organization, but from those of the state as business concern, owner of property, capitalist etc [63]

Śukra divides each of both the classes of one's own wealth again in two kinds , the *pārthiya* or income coming of land which is again to be designated according to the different sources e g , natural waters, artificial waters, villages and cities etc,. (this income is also to be divided into different categories according to the division of land and great, small or medium amounts) and the second sub-division is called ITAR or non-territorial income constituted of the duties fines royalties on mines, presents and contributions etc

(b) Types of Expenditure[64]

Expenditure is also classified and sub-classified on the similar lines by Śukra The expenditure is of two kinds according to

its purpose : the first is *upabhukta* (which is enjoyed) and the second *vinimayātmaka* (which is for exchange of something.)[45] Śukra classifies the expenditure under two heads : (i) that which will come back *punarāvrattak* and (b) that which destroys the right for ever (*swatvanivārtaka*). The *punarāvrattaka* is again sub-divided : hidden underground (*nidhi*) placed with others (*upanidhi*), exchanged (*vinimaykrita*), and given to others with or without interest (*adhamārnika*)

The *swatvanivārtaka*-one destroying the right for ever—expenditure is also divided in two kinds : the *aihika* or worldly disbursement which can also be called secular one and the *parlaukika* or other-worldly. The secular is sub-divided under five heads : spent as price of a thing (*pritidana*), given as reward for valour etc. (*pāritoshika*), given as salary etc. (*vetana*) paid for food and other necessaries (*bhogya*).

The *pārlaukik* or other-worldly expenditure is said to be of countless kinds but four main heads are mentioned by Śukra : that for penances *(japa)*, sacrifices (*homa*), worship (*arcana*) and charity (*Dāna*)

Thus it is clear that income and expenditure both are of two kinds : the *āvartaka* or returning ones and the *nivarti* or non-returning ones.

Śukra, like an expert in accounts, analyzes and classifies various kinds of income and expenditure and proves that state-affairs are not possible to be managed without proper understanding of the principles of accountancy. With the difference of nomenclature almost all the type of income and expenditure classified even by modern audit and account experts are likely to come under the heads suggested by Śukra It is to be noted that no Hindu political thinker, except Kautilya, pays so much attention on the affairs of accountancy as Śukra does. He, however, does not borrow here from Kautilya and exhibits his originality and insight in the theory and practice of accountancy.

Keeping of Account-Books

Śukraniti lays much emphasis on the proper and systematic keeping of account books The accounts-clerk is advised to

note separately the returning and non-returning in[come]
and expenditures He should not enter in any transa[ction]
regarding purchases, loans, payments etc without writi[ng in]
the account-book. Only then, Śukra opines, there woul[d be]
no cause to diminution or increase in the amount.[46]

He also frames comprehensive rules to be followed by [ac]-
countants in book-keeping[47] of which some are to [be]
mentioned Śukra is in tune with modern practice of makin[g]
double entries and of writing income on the left and that o[f]
the expenditure on the right side of the account-book. He
advises first to write the income item and then those related
to expenditure Entries regarding the items of same nature
are to be made together collectively with all the detailed
information Dates etc must be entered to keep a proper
record If the items and entries are great in number, the
accountant is advised to make entries according to time, i e
days, months etc. Śukra says that a complete knowledge of
the various types of income and expenditure as well as of
the balances could anytime be obtained through proper
keeping of the account-books

Śukra has discussed some more things regarding the techni-
ques of keeping accounts which are of no interest to this
study But it is quite evident that he has discussed not only
the theoretical aspects of the revenue system but the practice
of taxation and financial management as well It is remar-
kable that Śukra has classified the kings according to the
revenue they receive It means that he attaches much signi-
ficance to the economic status of the king. It, therefore, is
logical that he goes in so much detail of the affairs of the
treasury. His understanding and originality of approach
[the]ory as well as practice of public finance and financ[ial]
[adm]inistration deserves unreserved appreciation.

- Polity in Śukranītisāra

General References

1. *Śukranīti*, 1 61
2. *Śukranīti*, 4 2,14-16.
3. Kane. P.V , History of *Dharmaśāstra*, Vol III, p 667
4. Manu, 4,65.
5. *Śukranīti*, 1.276-78.
6. *Śukranīti*, 1.76.
7. *Śukranīti*, 4.2.13-14.
8. *Śukranīti*, 4 2.25-31.
9. *Śukranīti*, 4 2 3-4.
10. *Śukranīti*, 4 2-9.
11. *Śukranīti*, 4 (5)
12. *Śukranīti*, 4 (2)
13. *Śukranīti*, 4.2 7
14. *Śukranīti*, 4 2 11
15. Andley Sundharam, Public Economics and Public Finance, P. 10-14.
16. *Śukranīti*, 4.2 127.
17. *Śukranīti*, 4 2 18-19.
18. *Panchtantra* 1.243
19. *Śukranīti*, 4 2 110
20. *Śukranīti*, (B K Sarkar) p. 147
21. *Śukranīti*, 4 2 109
22. J S Mill quoted in Public Economics And Public Finance P. 33-34
23. *Śukranīti*, 4 2,108
24. *Śukranīti*, 4.2 111
25. *Śukranīti*, 4 2 107
26. *Śukranīti*, 4 2.108
27. *Śukranīti*, 2 273
28. *Śukranīti*, 4 2 10-11.
29. Samuelson, Economics, P. 165
30. *Śukranīti*, 4.2.108
31. *Śukranīti*, 4 2 116-17
32. *Śukranīti*, 4 2.117-18 and 126
33. *Śukranīti*, 4 2.125
34. *Śukranīti*, 4 2 9
35. *Śukranīti*, 4 2 120
36. Sinha, B P , Readings in Kautilya's Arthaśastra, p 76-78
37. Altekar, A S , State & Government in Ancient India, p. 267
38. Kane, P.V., History of Dharmaśāstras Vol. III P 671.
39. *Śukranīti*, 4 2.111-113.
40. *Śukranīti*, 4.2.114
41. *Śukranīti*, 4.2 115-16

42 *Śukranīti*, 4 2 117
43 *Śukranīti*, 4.2 111.
44 *Śukranīti*, 4 2 118 (119)
45 *Śukranīti*, 4 2 125.
46. *Śukranīti*, 4 2 125-27
47 *Śukranīti*, (tr B K. Sarkar) p 149
48 *Śukranīti*, 4 2 105-7
49 *Śukranīti*, 4 2 124.
50 *Śukranīti*, 2.176
51. *Śukranīti*, 4 2 104 107
52. Altekar, A S , State and Government in Ancient India P-288-89
53. *Śukranīti*, 1 316-17
54 *Śukranīti*, 4 7 27-29, also eng tr by B K Sarkar P. 219.
55. *Śukranīti*, 1 183 ff
56. *Śukranīti*, (tr B K Sarkar) p 219.
57 Altekar, A S , State & Government on Ancient India, p. 289
58 *Śukranīti*, 1 269
59 *Śukranīti*, 2 296
60. *Śukranīti*, 2 321-23
61. *Śukranīti*, 2 324-35
62. *Śukranīti*, (tr B K Sarkar) 2 658
63. *Śukranīti*, (tr B K Sarkar) P 94
64 *Śukranīti*, 2 377-49
65. *Śukranīti*, 2.324
66. *Śukranīti* 2 350-51.
67 *Śukranīti*, 2 372-87

8

Principles and Practice of Justice

Principles and Practice of Justice

Concept of Justice

Administration of justice (*vyavahāra*) has been regarded as one of the primary functions of the king or State by Hindu political thinkers including Śukra. The immediate purpose of administering justice is punishment to the wicked men as eir destruction would mean prevention of wicked actions; ence the furtherance of the good of the people and their rotection are achieved.[1] 'But this is only an instrument in chieving the real aim, i.e. maintenance of *dharma*. The king, s highest judicial authority, is supposed to make the subjects cquire the habits of performing their duties (*dharma*) by he use of his terrible *daṇḍa* (symbol of judicial authority) ecause it is through punishment meted out by the king that ach man gets into habit of following his *swadharma* or own duty which is the paramount penance.[2] Defining the unctions of *vyavahāra* (administering justice) Śukra himself s that judicial proceeding discriminates the good from the and ministers to the *dharma* of both the people and king furthers their

that the real purpose of ution is maintenance of *dharma*. ly becomes a part of the concept ... as the root of all the human as ... human activities—even the gods ... according to the Hindu ... that king's justice is an institution ... follow the spirit of universal ... ldly affairs. The law of *vyavahāra* ... looked upon as part of the ... lly with the rest of it, whether ... or other rules, was of superhu- ... command of god, like the laws of

ual ... as non- ... not ... nop ... lished ... yma or ... king's ... ale law ... ng w ... es

Moses—but eternal and coeval with the Supreme Being, binding on gods and men alike.[4]

Sukra, like other Hindu philosophers, appears therefore to support a sort of metaphysical-cum-sociological concept of law and justice The real function of *vyavahāra* is furtherance of the cause of whole or greater *dharma* by maintaining the social order and making the people abide their *swadharma* It is also to be noted that even the court of justice is called *dharmādhikaranam* by Śukra a court of justice (*dharmādhikaranam*) is that place where the study of the social, economic and political interests of men takes place according to the dictates of *dharmaśāstras*[5] Śukra's concept of justice as well as that of other like-minded Hindu thinkers, therefore, appears to be metaphysical in essence and sociological in its practice.

Courts of Justice

It has been observed that the king is not mentioned to administer the justice but at a later stage in the *dharmaśāstras vyavahāra* becomes 'one of the primary duties of the king'[6] Almost all the political philosophers mention king as source of justice[7] Śukra follows the *arthaśāstra-smrti* tradition and mentions king as the highest judicial authority in the land.[8] But the king, however, is not the only court He is actually the highest appellate authority The same passage reveals that the cases are to be tried successively by *kulas* (families), *śrenis* (corporations), *ganas* (communities), and then by councillors, and the *adhyaksha* appointed by the king who himself is higher than all. But it appears that only the *kulas*, corporations and communities intimately known to the king could investigate the cases[9]

These courts, however, are not authorized to investigate the criminal cases as revealed through the above quoted passage. They are courts having jurisdiction essentially of civil nature. It also appears that Śukra does not make these courts [illegible] powerful even in civil matters. It is asserted that [illegible] are authorized only for *dhigdanda* (moral [illegible]—perhaps social boycott etc.) and *vāgdanda*

al chastisement-perhaps humiliating in public etc) , fines l corporael punishments are not within their competence these could only be administered by king himself[10] It ld very well be concluded that the *kulas*, *šrenis* and *ganas* o are not competent to administer *arthadanda* and *lhadaṇda* in Šukra's opinion as they are held inferior in icial hierarchy to the councillors Šukra, perhaps, pays ch respect to the authority of the State and does not visage any sharing of its power by any non-political body ly the king, therefore, the chief-justice appointed by him his absence could administer the financial or physical nishments and the other courts are left with moral or cial punishments only.

ne King as Supreme Justice

ne king, according to Šukra, is the supreme seat of justice d is advised to look personally into the juridical matters cording to the *dharmaśāstras*[11] He is authorized to appoint her qualified judicial officers-the *prādvivāh* and councillors jury—as well ministerial staff required for judicial adminis-ation to assist and substitute him in his absence.[12]

he king, though supreme justice, is advise, however, never o give any decision without consulting the jury etc. He is upposed to look after law suits in the company of the chief-ustice, *amātya*, *brāhman*, and priest as well as the jury, his otherwise action is said to be leading towards hell and lestruction.[13]

He is advised to refrain from looking personally into and giving any decisive opinion in certain cases, i e., disputes among *brāhmans* regarding the interpretation of a procedure of sacrificial ritual, thec ases of ascetics (these are to be investigated by the experts in the vedas) and the disputes arising among the practitioners of occult arts. It is obvious that Sukra does not want to make the king interfere with religious or theosophical matters; he appears also to be a believer in occult practices as he advises the king not to decide the cases of occultists for fear of exciting their anger.

Judicial Officers : Their Functions and Qualifications

In the absence of the king, the *prāḍvivāka* is supposed to perform the function of justice. His functions and qualifications have been discussed with those of the other councillors or ministers of the king. *Amātya* and *purohita* are also mentioned among the persons whom the king or the chief-justice is advised to consult with.

Śukra mentions ten requisites for the administration of justice, the king, the officer (*adhyksha*), the jury (*sabhya*), *smṛtiśāstra*, accountant, clerk, gold, fire, water and *purusha*. The gold and fire are meant for the swearing of the oath. Water for the thirsty and the nervous and *purusha* to obey the commands of king or *adhyaksha* etc. Smṛti is kept to be consulted with. It is said that the king is the judge, the *adhyaksha* is the speaker and the members of jury are investigators.[14] The king, if not able to attend the administration of justice, is advised to appoint brāhmans 'who are well-versed in *vedas*, self-controlled, high-born, impartial, unagitated and calm, and who fear next life, are religious-minded, active and devoid of anger. Only in the absence of brāhmanas, he is advised to appoint a deserving *kshtriya* or Vaiśya who is well-versed in *dharmaśāstra*. But a *śūdra* is never to be appointed as judge.[15]

Śukra also describes the qualities desired in members of jury. They are required to be 'expert in the practice of *vyavahāra* and conversant with actions, character and attributes of people, impartial to both enemies and friends, knower of *dharma* and truthful, not idle, masters over anger, passions and greed and sweet-tongued'.[16] They should be well-tried and virtuous and possess the capacity of bearing the burden of the administration of justice like bulls.[17] Śukra states that a judicial officer should be well-versed not in one discipline only as he would not be able to investigate a case properly; the king should, therefore, appoint men who are well-conversant with many *śāstras*. The greatest qualification, however, is the spiritual-mindedness-as his opinion acquires states of *dharma*.[18]

qualifications for the accountant and the clerk are also scribed. They are supposed to be 'well-versed in lexicon the significance of words, well up in accounts, honest, trained in the use of various alphabets'.[19]

s discussion should make it clear that Śukra gives much dit to spiritual bent of mind, a knowledge of *śāstras* includ- *vyavahāra* and impartiality and passionlessness as well gentle behaviour in the selection of judicial personnel It lso to be noted that virtuous persons are always welcome he court even as audience according to Śukra. Even the śyas 'who are judicious should be made hearers'. The n who knows *dharma* should speak truthfully without n considering whether he is appointed or unappointed as e who, after going in an assemblage, does not speak truth remains silent is called a sinner by Śukra[20] It makes this ar that the virtuous and knowers of *dharma* are always sired in Śukra's court to help in the administration of stice. Their presence works not only as a check on the bitrariness of the judge and jury but as an assistance— metimes guidance—in the judicial process.

anu and Nārada also tend to support the view that silence f a knower in the court is a sin[21] A modern high court dge remarks that 'it was the rule of the day that every erson versed in law should attend the court and, if occasion rose should be invited to give his opinion on a disputed oint of law to prevent obvious miscarriage of justice'; he lso compares this procedure to the modern practice of alling upon a lawyer not engaged in the case to assist the ourt as *amicus curale*, a friend of the court. This, therefore, hould not be taken as a freedom to every one to participate n the litigation.[22]

Judicial Procedure

The procedure of the administration of justice is divided into four stages: the *pūrvapaksa* (statement of plaintiff or *vādī*), the *uttara* (reply of the defendant or *prativādī*), the *kriya* (conduction and progress of the suit) and the *nirnaya* (decision or judgement)[23] This procedure 'anticipates almost all the ideas which we now trace as products of the British legal history and call modern.'[24]

Purovapakaa

Sukraniti gives a vivid picture of the proceedings at courts. The king is asked to enter the court with modesty as well as dignity with his judicial assistants and to take the seat of justice. The actual work starts only after his taking the seat. The plaintiff, then, is asked to go to him to present his case in writing with modesty and respect—bowing low and folding his hands with submission The king is asked to console and hear him. The plaintiff's statement is to be written down in prevalent script—any distortion in the statement by the clerk is regarded as theft by Sukra, and the guilty is to be punished likewise. In the absence of the king, the highest Officer appointed by him will take his seat [25]

It is remarkable that offences are divided into two kinds from the point of view of cognizance like the modern practice. It appears that Śukra does not favour the initiation of a civil suit by the king himself or his officers [26] That means that civil suits are regarded non-congnizable offences. For such litigation some one aggrieved and not inspired, or hired by the king should make complaint But the king is authorized to start a case after receiving information about some cognizable offences through official or non-official source. These sources are *stobhaka* (who informs the king about any of fifty *chhalas*—misdemeanour—and other offences for the sake of money) and *sūcaka* who is appointed by the king to inform the latter of others' offences.[27] The cognizable offences include fifty kinds of discourtesies shown to a king, the kinds of felonies or *aparādhas* and twenty-two offences against the state.[28]

Śukra suggests that the person working on the seat of justice should make some investigation of the *āvedana* or plaint and the statement made by the plaintiff in his presence The king is advised to punish the officers who without investigating the statement of plaintiff take cognizance of the offence and issu[illegible] ns to the defendant (*prativādi*) [29] Disobedience ns is regarded as a high offence to be heavily A peculiar sanction has been observed by ich obedience to summons is enforced according

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[Foll]owing the tradition of the Hindu administrative law, Śukra [men]tions four types of reply—admission, denial, admission [wit]h justification (*pratyavaskandana*) and *prāṅnyāya* [or *re*]*s judicata* or plea of a former judgement.[83] Kātyāyana, [Bṛ]haspati and other *smṛtikāras* follow the same tradition. [T]hese four stages remind one of the most advanced forms of [p]leading recognized in the modern times.[84]

[I]t is to be noted that the statement of the two parties are to be received in presence of each other and the officers who do not follow this are considered punishable like thieves.[85] This proves that Śukra is keen to make the people feel the honesty and impartiality of justice.

Rules of Trial or Kriya

In the absence of admission from the side of defendant, the case enters the third stage called *kriya* in which the plaintiff and the opposite party are required to establish their case. Here it is also suggested that the cases normally should be tried in the order of arrival but sometimes on account of the importance of some case or its gravity etc. the court is authorized to change the order.[86]

Śukra has elaborately discussed the complex problem of the burden of proof. He advises the court to assess the statements of both the parties and to give its opinion with regard to the party on whom lies the burden of proof. The required party is to be asked to furnish all necessary evidence, documentary

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Uttara

The second stage of a law-suit is *uttāra* or defendent's version. It is asserted that the reply of the defendent should be written in the presence of the plaintiff, it should cover the whole case in intelligible manner. A vague, doubtful, too little or too much and partial reply is not to be admitted by the court.[32]

Following the tradition of the Hindu administrative law, Śukra mentions four types of reply—admission, denial, admission with justification (*pratyavaskandana*) and *pūrvanyayavidhi* (*res judicata* or plea of a former judgement.[33] Kātyayan, Brihaspati and other *smṛtikāras* follow the same tradition. These four stages remind one of the most advanced forms of pleading recognized in the modern times.[34]

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It is to be noted that the statement of the two parties are to be received in presence of each other and the officers who do not follow this are considered punishable like thieves [35] This proves that Śukra is keen to make the people feel the honesty and impartiality of justice.

Rules of Trial or Kriya

In the absence of admission from the side of defendant, the case enters the third stage called *kriya* in which the plaintiff and the opposite party are required to establish their case. Here it is also suggested that the cases normally should be tried in the order of arrival but sometimes on account of the importance of some case or its gravity etc. the court is authorized to change the order.[36]

Śukra has elaborately discussed the complex problem of the burden of proof He advises the court to assess the statements of both the parties and to give its opinion with regard to the party on whom lies the burden of proof. The required party is to be asked to furnish all necessary evidence, documentary

or otherwise, at his command. Śukra war
from one of the two sides is essentially
the reply comes under the *res judicata* cat
would be required to present the evidence
owing to some unavoidable and justifiable
of the burden of proof from the one to th

Law of Evidence

Śukra makes much efforts in order to elab
evidence as the decision of the case prima
the truthfulness of the evidence. The evide
primarily of two kinds human or divine
kinds.[38] The human or *mānusha* evidence
under three heads. documentary, possess
witness.[39]

The documentary evidence is again described
royal and popular Both of these kinds n
with one's own hand or by others and beari
witnesses or without the same. They are to b
judged according to the local practice.[40] It
that the documents of partition(with the app
gifts, sale and purchase etc. are to be conside
if approved by receivers and witnessed by vil
similar officers A document should mentio
month, fortnight, *tithi*, province, district, plac
age, the objects, the evidences, the goods, the
own name, and the king's name, residence,
other party, names of ancestors, the griefs the
the giver and the signs of the mercy etc witho
considered *hina* or invlid The docments writ
expiration of the period of transaction are not
as those which have been written by senseless pe
and by force.[41]

Bhoga or Possession

Possession is evidence of title Sukra also fram
prescription by which a wrongful possessor for te
more with the knowledge of the owner gets a title
of the rights of the latter. But the possessi

documentary proof.[42] Śukra here appears to agree with Yajñavalkya Possession, however, is taken as an evidence 'giving rise to a presumption of title, which was later to be developed by modern jurisprudence But the possession of the following does not amount to prescription mortgage, boundary land, minor's property, trust property, sealed deposit of female slaves and goverment property of learned *śrotriya*.[43]

Witness

A detailed discussion has been presented by Śukra regarding the reliability of the witness A witness is trustworthy only if he has seen or heard the facts in the presence of the plaintiff and the defendant. He should not have a defective intelligence, memory and ears and should possess a tested truthfulness, Śukra accepts as a reliable witness only one man who is virtuous and approved by both the parties.[44] Śukra says that house-holders (not the dependents), wise men, those who are not abroad, and young men should be made witnesses. He recommends the appointment of females as witnesses when female interests are involved.[45]

Partiality in judgement is said to be caused by five things: passion, cupidity, fear, malice and information in secret from the parties. The king and the members of jury, therefore, are advised against singly trying the cases or hearing the parties.[59] He should, after hearing the plaintiff and defendant both, consult the jury before giving any judgement. It anticipate the modern juridical practice of the trial of the cases in public and consultation with jury

The king as justice or his substitute is supposed to decide the disputes according to the dictates of the *dharmaśāstras* but he, simultaneously, is advised to respect the local customs which are to be taken as more binding where a dispute between the two arises. Those whose customs have been received by traditions and were practised by their ancestors are not to be condemned for following those customs, not others.[60] A renowned jurist, commenting upon this principle, states: ancient Hindu jurists seem to recognize that if there is a conflict between the practice prevailing in the community and the letter of the law found in the *smṛtis* or *śrutis*, it is generally the practice that would prevail.[61] And Śukra unhesitatingly approves of this view and thus proves himself a progressive jurist

The king's discretion is understood to be the final means to decide a case where there is no document, no possession, no witness and no resorting to ordeals. Śukra, morever, declares that, 'in cases which are impossible to decide finally and which are of a doubtful character, e g, those relating to boundaries etc., the king is at liberty to proceed as he is the supreme lord (*prabhu*)[62]

There are six kinds of judgements as described by Śurkra: these are through evidence, reason, usages, oaths, special orders of the king and the admission by the plaintiff[63] Vyas mentions eight kinds as he counts three types of evidence separately. Pitāmaha also agrees with Śukra that the king's order is the judgement where human and divine evidences fail[64]

Śukra, like other Hindu jurists, empowers the king or court to issue a decree as judgement at the end of the trial after

Rules of Summons

Śukra, while describing the functioning of the court, has framed definite rules for some associated miscellaneous problems. The court is empowered to call any body if needed in the progress of the case. But Śukra lays down certain conditions which check the court from summoning every body in the court. According to him the persons going to marry, the sickly ones, persons just going to perform any sacrifices, persons who are accused in other cases, persons engaged in governmental work, cowherds tending the cattle, peasants in harvest season, artists and artisans at their work, soldiers engaged in war, minors, messengers, persons engaged in some charitable work and men in danger are not to be summoned at once. If someone fails to reach the court due to some unavoidable physical circumstances, the king is advised not to punish him The king is advised not to summon the diseased man but he could be called by conveyances in some important cases He should summon those who have retired to the forest only when necessary by conveyances with great respect [71]

Śukra is not generally in favour of calling women to the court. He mentions a number of women who are not to be summoned . the young maids without relatives, high-class ladies, women in the lying-in room in delivery period, high caste girls and women whose masters are not unknown.[72] It implies that the court should go to them if necessary This practice is still followed in some cases if the concerned party pays the visiting fees to the court. But the women who are earning on their own, prostitutes, those who have no families and the degraded women could be summoned to the court

Rules for Pleaders

There has been a controversy over the existence of pleaders in Hindu judicial system. Some historians are of the opinion that pleaders rarely figure in ancient Indian judicial system[73]. We do not provoke here this controversy but Śukra, however, mentions pleaders working for some men and receiving fees from them. He states in no vague terms that representatives

or agents could be appointed by persons who do not know the legal procedure, or who are busy elsewhere or who are not good speakers, who are foolish, mad and old. Females, children and the diseased could also appoint pleaders called *niyogitas* who may be experts in legal procedures or are near *relatives* or *friends* of the party. But it is asserted that the representative's action should be deemed as that of the real party and it could in no case be undone.[71] This reminds one of modern practice.

Śukra also recommends the fees to be paid to the pleaders. He should be paid one-sixteenth, one-twentieth, one-tenth, one-fifty or its half of the worth of the suit according to the importance of the same. The total fee is required to be distributed among all the pleaders in case their number exceeds one The pleader who demands more than this is likely to be punished Similarly, the pleader is again liable to the punishment if he, for any temptation, *deceives* his client.

In certain cases, the defendants are not allowed to be represented by pleaders and are asked to attend the court in person Śukra says that 'in the cases of murder, thieving, *adultery*, *taking* forbidden food, abduction, harshness, forgery, sedition and robbery there are to be no lawyers as representatives (of the defendants) The perpetrators are to *answer personally*. 'He advises the king to punish the man who does not respond to summons without any justified cause and only owing to the vanity of his men and money.[72]

Thus, it is evident that *Śukranīti* has discussed in detail not only the judicial procedure at court but *the other related rules also* *Śukra*, throughout this discussion, emerges as a practical and liberal jurist—with some exceptions, of course.

Criminal Law The Liberal Views

This liberal attitude of Śukra prevails in his consideration of criminal cases also He does not *appear to believe in the theory of severe punishments* for trivial offences He realizes the significance of the king being a *daṇḍadhara* as it is only through fear of *daṇḍa* that people become virtuous.[74] *The king, therefore, should believe in the principle that execution*

of bad men is real *ahimsa*.[77] He, however, should not be unconsiderate in giving punishment and be mild internally, and shoud be severe in punishment towards those who are by nature evil-doers.[78]

Śukra classifies the offences in four categories through the body, through speech, through mind and through association and each is committed either intentionally or innocently. Each offence is again of two kinds the committed and the instigated and each of both have four types temporary, constant, habitual and natural [79]

The offenders, offences and punishments are divided each in three kinds : *uttama*, *madhyama* and *adhama* Every offender is first to be categorized according to his family, qualities and wealth and punishment is to be administered accordingly in the light of the kind of offence he commits It is to be noted that *uttama* offender is to be only lightly rebuked for the *adhama* or *madhyama* offences and is to be fined for the *uttama* offence if any of these is committed for the first time. The *danda* increases according to the frequency of the offence resulting finally in imprisonment The second class offenders are to be fined moderately—and the latter is fined half the amount than that of the former—for the first offences according to the category of the offence. The punishment here also increases according to the frequency of the crime.[80] This rule, however, does not hold good for the offences like murder etc.

It is remarkable that Śukra mostly favours fines and even imprisonment is imposed only if the offence is committed regularly. This clearly implies that Śukra is not in favour of corporal punishment. He appears to be a believer in the principle that punishment should be reformatory and not a kind of taking vengeance That is why he strictly disapproves of capital punishment[81] except the cases of *rājdroha*[82] A large number of grave offenders are to be exiled only but the lose relatives of the offendars should not be harmed [83]

This makes it clear that Śukra being a practical as well as iberal thinker does not approve of severe punishments as

the State, accoring to him, is likely to be ruined through punishment and partition of one's own subjects [84] One should always bear in mind the maxim that: The king is always deserted by good people and acquires sins by always not punishing those who ought to be punished, and punishing those who ought not, and by being a severe punisher.'[85]

Śukra appears to be a believer in the doctrine of equality before law. No body is exempted from punishment if he is an offender. It has been assertively stated that even the preceptors who are proud, do not know their duties and go astray must be punished by the king.[86] We have seen in the preceding section of this chapter how even the judicial officers are to be punished if found working contrary to the law. It would, naturally be an exaggeration to conclude that the author of *Śukranīti* is every inch a modern jurist but in all fairness this should not be denied that he anticipates many of the modern juridical tendencies To conclude with the words of a renowned modern jurist, "A truly magnificient administration of justice synchronizing the highest principles with the fairest procedure, is the contribution of the Hindu judicial system in India'[87] And the system graphically pictured in *Śukranīti* should very well serve as one of the best examples

General References

1. *Śukranīti*, 4.5 1-3
2. *Śukranīti*, 1.23-25.
3. *Śukranīti*, 4.5.4
4. Sen Gupta, N C., in Studies in Cultural History of India, P 63.
5. *Śukranīti*, 4 5 42.
6. Sen Gupta, in Studies in Cultural History of India., P 65
7. Kane, P V., History of Dharmaśāstras, Vol III P 703
8. *Śukranīti*, 4.5.30-31.
9. *Śukranīti*, 4 5 29.
10. *Śukranīti*, 4 5.274.
11. *Śukranīti*, 4 5.11
12. *Śukranīti*, 4 5.13,41,61.
13. *Śukranīti*, 4 5 5,10.
14. *Śukranīti*, 4.5.36-40.
15. *Śukranīti*, 4 5.13-14.
16. *Śukranīti*, 4.5 16-17.
17. *Śukranīti*, 4 5.24
18. *Śukranīti*, 4.5.33-34.
19. *Śukranīti*, 4.5.153.
20. *Śukranīti*, 4.5.153.
21. Nārada, Introduction 3.10 and also Manu, 8.13.
22. Mukharji, P.B., The Cultural Heritage of India, Vol. II, P 436.
23. *Śukranīti*, 4.5 153.
24. Mukharji, P.B., The Cultural Heritage of India, Vol II, P 438
25. *Śukranīti*, 4 5.56-60.
26. *Śukranīti*, 4 5.65
27. *Śukranīti*, 4.5 67-70.
28. *Śukranīti*, 4 5 70-86.
29. *Śukranīti*, 4.5 90-91.
30. Mukharji, P.B., The Cultural Heritage of India, Vo. II, p. 443
31. *Śukranīti*, 4.5 95-97.
32. *Śukranīti*, 4.5.140.
33. *Śukranīti*, 4.5.144-45.
34. Mukharji, P.B., The Cultural Heritage of India., Vol. II., P 444.
35. *Śukranīti*, 4.5 151.
36. *Śukranīti*, 4 5.155-56.
37. *Śukranīti*, 4.5.158-60
38. *Śukranīti*, 4 5.160-61.
39. *Śukranīti*, 4 5.161-62.
40. *Śukranīti*, 4.5.170-71.
41. *Śukranīti*, 4.5.176-81.
42. *Śukranīti*, 4 5.219-22.

43. *Śukranīti*, 4.5.223.
44. *Śukranīti*, 4 5 183-85
45. *Śukranīti*, 4 5 187.
46. *Śukranīti*, 4 5 189-92.
47 *Śukranīti*, 4 5 188
48. *Śukranīti*, 4 5 198-200
49. *Śukranīti*, 4 5 192-94.
50. *Śukranīti*, 4 5.195
51. *Śukranīti*, 4 5 209-11
52. *Śukranīti*, 4 5 225-26
53. *Śukranīti*, 4 5 250-51
54. *Śukranīti*, 4 5 247-51
55 *Śukranīti*, 4 5 257
56. *Śukranīti*, 4.5 263,
57 *Śukranīti*, 4 5 264.
58 Āpastamba, 2 5 11 2
59 *Śukranīti*, 4 5 6-8
60 *Śukranīti*, 4 5.49-50
61. Gajendragadkar, P.B , The Cultural Heritage of India, Vol. II , P 426.
62 *Śukranīti*, 4 5 266-67
63 *Śukranīti*, 4 5.265
64 Kane, P.V , History of Dharmaśāstras, Vol III , P 757
65. *Śukranīti*, 4 5 280.
66 *Śukranīti* 4 5 281
67 *Śukranīti*, 2 300-1.
68 Kane , P V., History of Dharmaśāstras, Vol. III , P 758
69. *Śukranīti*, 4 5 275-76
70. *Śukranīti*, 4.5 277-78.
71. *Śukranīti*, 4 5 102-7.
72. *Śukranīti*, 4 5.101.
73 Altekar, A S , State and Government in Ancient India, P 258
74. *Śukranīti*, 4 5 108-11.
75. *Śukranīti*, 4 5 119-21
76. *Śukranīti*, 4 1 46-49.
77. *Śukranīti*, 4.1.52
78. *Śukranīti*, 4.1 65-66
79 *Śukranīti*, 4 1.68-70

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9

Art of War and Military System

Art of War and Military System

Significance of Army

Army has been mentioned as one of the seven elements of the state. This is actually root of the state without which protection of the people—the foremost duty of the king—is not possible to be achieved. Army and treasure have been called root of the each other by Śukra and it is asserted that it is by maintaining the army that the treasure and the kingdom prosper and the enemy is destroyed.[1] Śukra mentions strength of army as one of the six basic strengths (strength of the body, strength of valour and prowess, strength of the army, strength of *astras*, strength of intelligence and strength of life) and claims that 'without the army no one can overpower even an insignificant enemy. The people are likely to become tools of one who has strength and become one's enemy who is weak and this holds more true in the case of the king. The king is, therefore, advised by Śukra to maintain a formidable army as it is the chief means of defeating the enemy and without which there is neither kingdom, nor wealth, nor prowess.[2] Sumanth mentions army not as a separate part of state but as a subpart of treasure but other political thinkers including Kautilya, Śukra and others take it as one of the limbs of the body politik.[3] Its significance ... lished by the fact that Śukra allocates 50% o... to be spent to maintain the army.

... of Army

...ities mention six types of army : *maul*... *amitra* and *ātvika* Kautilya, Kāmandaka ... agreed to this classification. Bu... does not mention *treni* and *amitr*... leaves *treni* only.[4]

...m different points of view—each tim...

two categories It either belongs to oneself (*swiya*) or to allies (*maitra*), from the point of view of recruitment it is either standing army of the state (*maula*) or a newly recruited (*sadyaska*) Similarly, it is either trained or untrained, officered by the state or not officered by the state; equipped by the state with arms, or supplying their own arms and ammunitions etc. and with their own vehicles or supplied with vehicles by the state These are respectively called *śiksita-aśiksita, gulmibhūta* or *agulmaka, dattāstra-swāsastresta* and *Swavāhi-duttavāhana*.[5] The *gulmibhūta* is also called *kṛtagulma* and the *agulma* is *swayamgulma*. Śukra mentions a separate category called *āranyaka*[6]—an army recruited of forest tribes—which is named *ātavi* or *ātavika* in Kautilya and others.

Analyzing all these types and sub-types of army some scholars tend to conclude that mainly two kinds of recruitments are described in *Śukraniti*. The army of the state seems to have been divided into two classes (1) the standing army which must have been trained, regimented or officered or manned by the Military Department of the State, and supplied with weapons and conveyances at state expenses, (2) the national army of the volunteers or the military which must necessarily be of raw recruits, untrained, unregimented (i.e having their own commanders) and responsible for their own arms, accoutrements, and conveyances. It would thus appear that the *maula* army i.e that which is connected with the state, as it were through roots, or from the beginning would corespond to the permanent standing army of the kingdom, and the *sadyaska* or new army improvised for the occasiaons to the national militia enlisted by the methods of conscription or voluntary service.[7]

This conclusion, however, seems to have been drawn in a mood of over-simplification. It is to be noted that conscription is no where mentioned by Hindu political thinkers. Similarly we cannot take it for granted that *sadyaska* army is not to be paid or supplied with necessary arms, vehicles and other accoutrements The other authorities mention *bhṛta, bhṛta* or *bhṛtya* (all meaning paid ones) in the place of *sadyaska*

... in Śukranitisāra

It is more probable that the *maula* means the army constituted of the persons belonging traditionally to warrior families serving the state while the *sadyaska* are the newly recruited ones. It has been mentioned that the persons whose forefathers had been awarded tax-free land-plots for their military services were, according to the authorities, members of the *maula* army.[8] It appears to be more correct that Śukra has classified the army separately from points of view of recruitment, command, accoutrement, vehicles and training etc, —each time in two groups

One more classification according to the nature of movement is also attempted by Śukra From this point of view the army is again of two kinds (1) *swagamā* (that which moves without any help—infantry being only of this kind) and *anyagamā* (that which proceeds in vehicles—the three kinds of which are chariots, horses aod elephants).[9]

Śukra also mentions *śatrubala* as an army constituted of the troops left by, or captured from the enemy and placed among one's own people but both of these kinds of *śatrubala* are said of no much use and should be regarded as inimical[10] It appears that Śukra has employed the term *śatrubala* for the army mentioned as *amitrabala* by other authorities Similarly, from the viewpoint of usefulness the army is called *sāra* or *asāra*.[11]

Śukra's classification of the army, thus appears to be comprehensive as well as systematic. It is attempted from point of view of ownership, direction, recruitment, accoutrment and usefulness. This should naturally be clear that an army classified positively under all these heads is real strength of the state which reduces successively through each negative classification. Śukra, therefore, advises the king to appoint the untrained, inefficient and the new recruite to other tasks than actual warfare[12]

Elements or division of Army

The Hindu army traditionally consisted of four parts—Chariotry, Elephantry, Cavalry and Infantry.[13] Some of the authorities mentions six and sometimes even eight parts[14] but

the remaining two—*mantra* and *Kosha*—or remaining four (porters, boats, spies and guides) are actually accessories and not the main part of the army. *Śukranīti*, following the age-old tradition, mentions four-fold army consisted of infantry, chariotry, elephantry and cavalry—the first is called *swagama* while the remaining three are *anyagma*[15] It is strange that Sukraniti does not mention navy as a separate part which it is supposed to do having in view the probable date of its compilation as the Chola dynasty who in the beginning of the second millennium of Christ had crossed the sea and had a powerful navy as a significant part of their army.

Besides these four divisions, Śukra suggests to have camels, bulls and cannons also. He advises that the army should have a predominance of footsoldiers, a medium number of horses, a small account of elephantry with equal number of bulls and camels but elephants never in excess. He also decides the ratio of each part by stating that the king should have his infantry fourtimes the cavalry, bulls one sixth of his horses, camels one eighth and elephants one-fourth of camels, chariots one-half of the elephants and cannons twice the chariots.[16] The preference to camels and bulls over elephants indicates that the author of *Śukranīti* either lived in or was familiar with the place where elephants, chariots and even cannons were of lesser utility than bulls and camels. He remarkably mentions characteristics of good and bad horses, elephants, camels and bulls and their different races with keen details and authenticity and describes the ways of training the same.[17]

The intelligence increases through intercourse with people learned in Śāstras. Śukra finally comments that the strength of the state (made possible through the increase in all types of strengths stated above) with permanence in his own dynasty is to be realized through good deeds So long as the kingdom continues in his family so long the king is alive [18]

The king in order to make the army strong and efficient emphasizes proper training and regular exercises in the art of warfare. Śukra advises him to always practise militry arrays and parades with the troops, and practise archery etc.[19]

The Hierarchy and Officers

Śukranīti supplies detailed information about the hierarchy and nomenclature etc. of various grades of military officers. The king naturally is the Superme Commander of the forces with the *Sacīva* in his council of ministers as chief advisor on military affairs. The commander of the army is perhaps called *senādhipa* [20]

Different grades of military services are also mentioned. Following the tradition of *Mahābhārata*, the smallest unit is called *patti* but its strength described in *śukranīti* differs from that of the former. *Mahābhārata* makes a *patti* of fifty-five soldiers while *śukranīti* assigns only five or six soldiers to a *patti* whose chief is called *pattipāl*. This is somewhat nearer to the strength described in *vaijayantī kosha* which besides foot-soldiers mentions one chariot, one elephant and three horses.[21] But the other grades are totally different in *śukranīti*.

The chief of thirty soldiers is called *gaulmika* and that of hundred *śatānika* The best *anuśatānika*, *senānī* and *lekhaka* are to be appointed over every hundred soldiers as heads for functions. The officer over one thousand soldiers is while the *ayutika* is head of *ayata* or a divi- *Mahābhārata* also mentions nnmber of soldiers.[22] The for regular training of soldiers in Military parades and

warfare practices and the *anuśatāntka* is his c
senani is responsible for the direction to guard
tinals while the *Gaulmika* or *Gulmapa* inspects
night duty The *pattipa* is made responsible to co
rotation of watchmen on duty at night. The *lekha*
ains accounts and different types of reports of the
whereabouts etc The master of twenty horses or el
is called *nāyaka*.[24]

Śukra mentions a number of officers heading the di
departments. These are heads of the departments for
hants horses, chariots etc. and are supposed to be exp
their specialized fields All these officers are directed to
their special marks etc [25]

Status and Paraphernalia

The status of various grades of military officers is also de
cribed in *Śukraniti* The commander of one hundred troop
called *śatānika* is equated in status with master of te
villages called *nāyaka* We may imagine, therefore, that the
nāyaka or lord on 20 horses or elephants must be of same
status These are authorized to travel on horsebacks with
attendants The ruler of one hundred villages called *sāmanta*
is equal to the commander of one thousand troops *sāhasrika*
and both of these should have the vehicle of a chariot driven
by one horse with ten attendants The ruler of one thousand
villages (*māndalika*) and commander of ten thousond troops
(*āyutika*) are equivalent in their status and are asked to
travel by vehicles carried by men or two horses or on an
elephant with twenty attendants The commander of fifty
thousand is equated with the ruler of ten thousand villages
(*aśapāla* or *swarāt*) and both are authorized to travel by all
types of vehicles driven by four horses with many attendants.
This rule is to be regulated according to the magnitude of
the jurisdiction [26] This reminds one of the status of military
officers in modern times made equivalent to those of civil
ervice It is remarkable that no authority other than Śukra
iscusses the equality of status between
fficers.

Rules for Military Personnel

Śukra does appear neither to favour a free mingling of military personnel with civilians nor to give free time to them. He therefore, has made certain rules and advises the king to make the soldiers follow the same.[27]

Śukra advises the king to station the troops outside the village but not far away from it and to forbid any type of financial relationship between the villagers and soldiers Soldiers are not to be permitted to enter the village without any royal business or a royal permit. There should be no daily dealing between the two and the goods to be purchased by soleiers should be made available in their cantonment. No soldier should be posted at a place for more than a year. They should not be appointed in works other than war

The military regulations are to be regularly communicated to the soldiers. They are to be managed in such a way that at least one thousand of them in a cantonment can be ready for service in an instant. They should be regularly paid and the trainees should also get half the amount of the actual salary. One-thirtieth of the amount added to the actual expenditure would be paid to soldiers when they are on travel on state duty.

The king is advised to practise military parades with troops and make them practise strike the objective by means of missiles daily at the stated hours. They should be counted (the modern roll-call) both in the morning and the evening. Besides parades and practice in war-exercises the soldiers should always keep their arms, weapons and uniforms etc. quite clean, bright and ready for use.

The troops are instructed by Śukra to forsake violence, rivalry, procrastination over state duties, indifference to the injuries of the king, conversion and conversation with others. The king should punish those who do not obey the commands, and have illicit connections with vicious persons and enemies. The king is asked to forsake the servants, who are pleasure-seekers.

Śukra anticipates the modern practice of keeping the army

men ever busy in their own affairs and not free mee
civilians Even they are to be entertained at the can
and not in the village 25

Unity and Loyalty in the Army

Śukra puts much emphasis on the need of maintaining
all the unity and loyalty in the army. This indicate
causing disaffection among enemy's soldiers has been a
mon practice as a means of subjugating the foe and Ś
himself approves of it 29

The king is advised, therefore, to rely more upon the ma
kind of army in the times of war as this does not desire
leave the master even at the point of death He, moreov
is advised to make his army faithful to him by giving award
and booty to the soldiers 30

The author of *Śukranīti* frames policy towards army to be
followed by the king in order to maintain its unity and
loyalty The king is expected to analyze the causes of aliena-
tion and disaffection of the army belonging to himself or the
enemy He should always by gifts and artifices remove dis-
affection and alienation of his army as well as promote the
same among enemy's troops Śukra opines that the aliena-
tion among soldiers is generally caused by harsh words, cut
in wages threats and longer work and life in foreign lands,
hence the king should refrain from these things. He suggests
that the soldiers must be controlled by special methods and
never by fines 31

Arms and Weapons

A comprehensive discussion on the use of various arms and
weapons in Hindu India needs altogether an independent
udy but *Śukranīti* strange enough does not go in as much
tails on this issue as it does in other spheres—even in the
[illegible] of good or bad cattle Only the weapons using
powder are described in some details and it is on this
that most of the scholars ascribe its compilation to a
not earlier than the eleventh century 32

[illegible] types of arms called astra and śastra
[illegible] used as a weapon that [illegible] by means

of *mantra* (charms or magic), machine or fire while any other weapons (sword, arrow, dagger etc.) are called *śastra*.[33] Here it is to be noted that Śukra's classification is very simple while other authorities like *nitiprakāśik*, *agnipurāna* and *vishnudharmottara* has classified these in four or five catagorie: as *mukta* (thrown) *amukta* (not thrown) *muktāmukta* and *yantra-mukta* (thrown by machines) or *pānimukta* (thrown by hand), *muktāmukta* (thrown and received both) *amukta* (not thrown) and *niyudha* or *bāhuyudha* (wrestling etc.)[34]

Śukranīti classifies the *astra* in two sub-categories · the *māntrika* (by charms, magic etc.) and *nālika* (tubular or cylindrical) of small or large size. The king, however, is advised to use the latter where the former is not available.[35] The description of small and large sized *nālika* weapons one is reminded of small guns and cannons respectively They, if properly used, are said to be giver of success in war. The methods of making both types of *nalikāstras* as well as gunpowder and the balls have been discussed by Śukra in some detail which shows that being a new thing he has paid special attention to the same [36]

Some other *śastras* are also mentioned : these are arrow, club, different forms of spears or darts (*pattitha*, *prāsa* and *kunta*) sword, disc with sharp teeth, noose, finger-nails with armer and helmet [37] In other Hindu literature, one can very easily find a list more detailed and comprehensive It is also strange that *māntrika astras* are not further elaborated by the author of *Śukranīti* while he prefers their use.

Fortresses

The significance of the fort in Hindu polity and warfare is self evident from the fact that it is regarded as one of the seven limbs of the state *Śukranīti* has devoted a small but complete section for the discussion about the same It is said that one man with arms is able to fight one hundred if he is well protected in a fort and a hundred men similarly placed can fight ten thousand attackers. The king, hence is advised to have forts.[38]

Śukra, following Manu, mentions six types of forts while Kautilya mentioned only four types.[39] According to *Śukranīti* the *pārikha* fort is surrounded on all sides by great ditches and the *pārigha* is well protected by walls; *vāna* or forest-fort is made in dense forest encircled by huge thorns and clusters of trees etc. and the *dhanwa* is known to be situated in a place round about which no water is found (desert—fort) and the *jaladurga* is surrounded by great sheets of water while the hill-fort or *giridurga* is made on high level with supply of water in plenty. *Pārikha* and *pārigha* are not separately mentioned by Kautilya. Śukra again divides the forts in two categories · the one is *sainyadurga* or troop-fort and the other *sahāyadurga* or help-fort and both of these are regarded as ornaments of all forts without which other forts are of no use to the king It is asserted that the fort with troops is the best while the others are auxiliaries to this; the king, therefore is advised to have this fort first.[40] A mutual dependence among different kinds of forts and their resourcefulness is highly emphasized by Śukra and the king is advised to have all these forts well provided with all types of materials necessary in wars [41]

Kinds of war

The war has been defined in *Śukranīti* as 'the affair that two parties, who have inimical ralations with each other, undertake by means of arms to satisfy their rival interests [42] This definition makes it clear that war should be fought to satisfy conflicting claims by the rival parties who are inimical to each other It naturally implies that it should not be fought with friends even if there are some conflicting claims between them.

Three kinds of war are mentioned in *Śukranīti* . The *daivika* (where charms or *mantras* are used), the *asura* (where mechanical devices are used), and the *mānava* (where *śastras* and hands are used) and this fight may be of one with many, of many with many, or one with one etc [43] The *daivika*, *asura* and *mānava* are termed on the same basis, in another passage as *uttama* (fought with charmed instruments or *mantras*), *madhyama* (with mechanical instruments) *kanishtha*

(with weapons), and *adhama* (with hands) kinds of war [44] It is strange that Śukra has a preference for *asura* war to the human one as generally Hindus regard any thing *asura* or demonic as inferior to the human one while the *daivika* or divine is always superior to the same. Following this tradition, Śukra should have placed the human one in middle order and the *asura* to the worst one but he prefers *asura* war to the human one.

Desirability of the War

Indian tradition and even social order, although, eulogize and encourage the war, *sukranití* approves of it only as a last resort. Śukra advises the king to adopt *sāma*, *dāna*, and *bheda* successively to win over the enemy ; the *danda* (including war) is to be employed only after failure of all the preceding policies.[45] Again, it is said that war should be undertaken when no other remedy is left [46]

Suitable time for Warfare

Śukra emphasizes, proper study of one's own or enemy's resources as well as climatic conditions before commencing any war. He suggests that the *śarad hemant* and *śiśir* (the six months from *āświn* to *phālguna*) are the best season (*uttama*) for war; the spring (*vasant*) is middling (*madhyama*) and the summer (*grishma*) the worst (*adhama*) season while the war is never allowed in rains (*varshā*) [47]

Similarly, when the king is well provided with military requirements and master of a sufficiently strong army, and feeling enthusiasm for war, with the presence of good omens, the time is said to be auspicious for commencement of a war. Śukra asserts that, 'The king who is provided with good supplies, is endowed with the 'six attributes' of statecraft, and equipped with sufficient arms and ammunitions, should desire to fight. Otherwise he gets misery and dethroned from the kingdom.'[48]

But one should not, according to Śukra, wait for the proper season if very urgent matter arises or protection of cows, women, and *brāhamana* is concerned.[49]

The War Field

The author of *śukranīti* has also discussed the characteristics of different types of battle-fields or zones of military operations in order to make the king choose one according to his circumstances That field is said to be the best which provides all the facilities for the regular parade and exercises of one's own troops properly but no such facilities are available to the enemy , the middling or good zone provides equal facilities for the both and in the worst battle-field the conditions of first order are reversed in favour of the enemy [60]

The Expedition

An aggression on enemy is called *yāna* in *śukranīti*. This is for the promotion of one's own interests and destruction of those of the enemy [61] Śukra mentions five kinds of expeditions *vigrihya, sandhāya, sambhuya, prasanga* and *upekshyā*. In the first the army proceeds by gradually over-powering groups of enemies—some authorities define it, Śukra mentions, as an expedition in which one's friends fight with the adversary's friends on all sides, while one's own army proceeds against the main enemy When an expedition is made after making alliance with some supporters of the enemy, it is called *sandhāys*. The *sambhuya* expedition is made by the king aided by resourceful and skilled feudatories. The *prasanga* is a kind of expedition which begins against a certain enemy but incidently proceeds against another and the last expedition called *upekshyā* neglects the enemy and then retreats after facing adverse results [62]

Stationing or Position

Āsana or taking position is mentioned as one of six attributes. Sukra defines it as a position from which one can be protected and the enemy is destroyed.[63] He advises to station with troops at those places from where enemy's army could be over-powered with *astras* The *āsana* should be taken in such a way that supply line to the enemy could be cut. From its manoeuvre one is advised to destroy those people who help the enemy by carrying wood, water and provisions [64]

It appears that Śukra, like an expert military commander, examines all the possibilities in one's favour and advises the king to do accordingly Not only the season of war, but the choice of the style of expedition and the battle-field as well as the strategic positions should be perfectly studied and followed in order to make the enemy helpless and surrender without any war efforts as far as possible By putting the enemy in a helpless situation one can cause fear or disunity among enemy's camp and thus make him agree to one's own conditions.

A cease-fire or cessation from military hostilities is called *sandhāya āsana* by Śukra. It occurs when both the enemy and the aggressor get tired and stop the war but do not retreat from their respective positions [55]

Refuge

Seeking refuge with a powerful, and honest ruler with good family connexions is called *āśraya* by Śukra It is needed in case one is overpowered by the enemy and no remedy is available to him to counteract the defeat One should take refuge with the friends, relatives and kinsfolk or with the paid friends or sharers in the benefits of victory. Forts are also said to be supposed *āśrya* [56]

Duplicity

It is said that when the king is doubtful about the effectiveness of the methods of work to be employed or he is waiting for opportune time, he should adopt one but display the other. This is called *dvaidhibhava* or duplicity.[57] These four (*yāna, āsana, āśraya* and *dvaidhibhava*) plus peace (*sandhi*) and war (*nigraha*) are called six attributes (*sadgunas*) and the king is advised to study all these before making any aggression upon the enemy.

Military Arrays or Battle-orders

Making of military arrays or battle-orders is regarded as the most significant aspect of the traditional military science in India Even the modern experts command a mastery over this aspect according to modern tactics and methods of

warfare A commander should be
but a great strategist and maker of a

The commander is advised to emp
arrays not only in battle-field but also
difficulties arise through rivers, hills,
No single array should always be prefer
should devise one two or more of the
of them keeping in view the strength o
as the topography character of roads a
array of the enemy 44

Some of the *vyūhas* have been defined with
in certain situations by *Śukra* The nom
arrays is also an indicator to the nature an
the same It is instructed that the *makara* or
śyena or bird array and the *sūci* or needle
according to the physical shape of the menti
or things are of utmost utility if danger is
In the cases of danger being behind or on
śakata or carriage-array and
pectively useful

for warfare is not acquired The war should then be taken with troops successively by ministers and the king,

It is warned that deserter troops from the enemy must not be placed near the main army. They should be made use of separately in other works and in wars should be used first. The troops of the friends may be placed in the front, at the rear or the wings.[61] The king is, moreover, advised not to appoint the untrained inefficient and the raw recruits in the actual war as they all are like balls of cotton They should be assigned to take other than actual warfare The king is advised to make expedition against even a small adversary not with an army small but big in number.[62]

The discussion on *vyūhas* makes it clear that the author of *sukranīti* is not only a socio-political thinker but an expert in military science as well.

Rules of War

War is undoubtedly an affair of much cruelty and destruction but the Indian thinkers have tried to make it 'as human as possible' by framing a code of conduct agreed upon between both the parties[63] *Mahābhārata* supplies a large number of rules to be followed in a war to make it a *dharmayudha*. Manu, Gautama, Yajñavalkya, Vridha Harita and some others have also supported such rules.[64]

Sukra, following the same tradition, states certain rules to be followed by both the parties. Persons and weapons equally matched should be used against each other. The horseman has to be attacked by the *kunta* sword, the charioteer and the man with the elephant by arrow, the elephant by elephant, the horse by horse, the chariot by chariot, the infantry by infantry, one by one, the weapon by weap... nd the *astra* by *astra*[65]

the ... in fighting to kill certain w... the ground, is deformed, is in ... seated with hair dishevelled, ... seeing others ... who ... water, taking ... terrified and

retreating should not be killed Similarly, one should not kill the old man, the infant, the woman as well as the lonely king. But killing by prescribed methods is not taken to be a deviation from the path [46] Sukra, therefore, allows the killing of even infant or a *brāhman* if any of them is coming upon one with weapons in hand or murderous intent [47]

Flying away from the battlefield in order to save one's own life is not appreciated. Such people are said to be as good as dead and are liable to suffer alone the sins of the whole kingdom.

One who dies while fighting bravely in the battlefield is, on the other hand, entitled to the great position that is attained by the sages after long and tedious penances. A man who is killed in battles is purged and delivered of all sins and fairies of the other world vie with each other in reaching the warrior who is killed in battles in the hope that he be their husband.[48] All these rules, however, are to be followed only in a *dharmayudha*. Sukra tends to prefer *kūṭayudha* against the powerful enemy and cites examples of Rāma, Krishna, Indra and other gods who could overpower their enemies only through employment of *kūṭa* or deceitful tactics [49] It is clear that Sukra, being practical thinker, understands human nature and is in favour of exploiting the circumstances not caring for the scrupulousness of the means It has been rightly commented that 'He is an advocate of expediency and diplomacy——— hence so called irreligion, immorality, inconsistency and untruth which are the characteristics of *kūṭayudha* should not at all deter the king from a course of action that would lead to the desired object [50]

Sukra's discussion on military administration and art of war is thus comprehensive and supplies ample evidence of the keen insight of the author in the military strategies. His approach is tradional as well as original He is, perhaps, the only prominent Hindu authority who mentions gun-powder in detail denying thus Alberuni's charge that Hindus are averse to new ways and knowledge His preference to means other than war which is to be undertaken only as a last resort should be appreciated as anticipatory to the modern practice of diplomacy and warfare

General References

1. *Śukranīti*, 4.2 14-15.
2. *Śukranīti*, 4 7 4-8
3. Kane, P.V., History of Dharmaśāstra, Vol III , P 676
4. *Śukranīti*, (tr B K. Sarkar) p 677.
5. *Śukranīti*, 4 7 9-13.
6. *Śukranīti*, 4 7 14.

[illegible]

21. Kane, P.V., History of Dharmaśāstras, Vol III, p 680
22. *Śukranīti*, 2.141-42.
23. *Udyogaparva*, 155.28.29.
24. *Śukranīti*, 2.143-147.
25. *Śukranīti*, 2.148-149
26. *Śukranīti*, 1.183.85,191-92 and 5.81-85
27. *Śukranīti*, 4.7.382-93 and 5 91-95.
28. *Śukranīti*, 5 92
29. *Śukranīti*, 4 7 188
30. *Śukranīti*, 4 7 182-85.
31. *Śukranīti*, 4 7.183-84,174.
32. Kane, P.V. History of Dharmaśāstras Vol. III p 686 Sinha, B P. Studies In Cultural History of India, p. 157 and others
33. *Śukranīti*, 4 7.191.
34. Kane, P.V History of Dharmaśāstras, Vol III p. 686-87.
35. *Śukranīti*, 4 7.192-94.
36. *Śukranīti*, 4.7.195-210.
37. *Śukranīti*, 4 7.211-217.
38. *Śukranīti*, 4 6 10-11
39. Kane, P.V , History of Dharmaśāstras, Vol. III, p 663-64
40. *Śukranīti*, 4 6 1-8.
41. *Śukranīti*, 4.6 12-14.

42. *Śukranīti*, 4 7 219-20
43. *Śukranīti*, 4 7 220-21
44. *Śukranīti*, 4 7 334-39
45. *Śukranīti*, 4 7 37.
46. *Śukranīti*, 4.7.253.
47. *Śukranīti*, 4 7 223-24
48. *Śukranīti*, 4 7 222 and 225
49. *Śukranīti*, 4 7 226
50. *Śukranīti*, 4 7.227-30.
51. *Śukranīti*, 4 7 235
52. *Śukranīti*, 4 7 253-60
53. *Śukranīti*, 4 7.235
54. *Śukranīti*, 4 7.284-86
55. *Śukranīti*, 4 7 287
56. *Śukranīti*, 4 7 288-90.
57. *Śukranīti*, 4 7.291-92
58. *Śukranīti*, 4 7 263 and 283-84
59. *Śukranīti*, 4 7 264-65 and 278-282
60. *Śukranīti*, 4 7 266-75
61. *Śukranīti*, 4 7 190,343-46
62. *Śukranīti*, 4 7 177-79
63. Sinha, B P , Studies in the Cultural History of In
64. Kane, P.V , History of Dharmaśāstras, Vol III p
65. *Śukranīti*, 4 7 356-57
66. *Śukranīti* 4 7.358-61
67. *Śukranīti*, 4 7.325-27
68. *Śukranīti*, 4 7 309-14
69. *Śukranīti*, 4 7 362-64
70. *Śukranīti*, (tr B K Sarkar), p 253

10

Principles of Diplomacy and Inter-State Relations

Principles of Diplomacy and Inter-State Relations

Almost all the political pandits of Hindus have elaborately discussed the principles of inter-state relations. War, which is also a sort of relationship between the states, has already been discussed in the preceding chapter. Here, we are, therefore, mainly concerned with other aspects As war-time relations are not normal, we should separately study the norms of inter-state relationship in normal or no-war-times. The author of Śukranīti, following the *Arthaśāstra–Smṛti* tradition has discussed this aspect of polity in detail

Object of Foreign Policy : Friends

The first and foremost object of the foreign policy of a king is to win powerful friends in order to make his state stronger and his enemy weaker. The friend is mentioned as a basic element of the state by Hindu authorities and Śukra also approves of this view and calls the friend as ear to the state.[1] Manu, and Yājnavalkya both give priority even to a weak but good friend over gold or land, although Kautilya place the friend at number three in the list of his priorities. *Mahābhārata* and Kāmandaka exhibit practical approach by stating that a friend or a foe is gained always according to the riches and deeds of a king.[2] Śukra's approach in this regard is more near to that of *mahābhārata* when he says that all kings are unfriendly and secret enemies of valours, rising and powerful men as they themselves are coveteous of kingdom. The kings can have no friends and can be no friends to any body. Their friendship is generally artificial and only some of them are always friends or enemies by nature.[3] Śukra thus appears to believe that there is nothing like permanent friendship in politics and it is the need of the hour that makes one friend or a foe.

Mandal Theory

The *mandala* theory finds mention in Hindu political writing since Kautilya who is the author of the system Manu, yājñavalkya, Kāmandaki and the authors of *nitivākyamṛtā*, *nitimayūkha*, and *rajanitiprakaś* etc have borrowed this theory from Kautilya. The modern scholars, therefore, have based their interpretation mostly on the basis of Kautilya's *arthaśāstra*. The doctrine of *mandala*, according to these scholars, imparted a very symmetrical or to the relationships resulting from the quest for suzerainty and the consequent need of astute diplomacy and alliances [4] This theory imagines a cluster of states with a complex relationship holding each state in centre in its turn. It is argued that a state is naturally inclined to be either friendly or hostile to its neighbouring states and a number of problems are natural to arise. For the facility of consideration of the steps that should be taken by a state in particular situation, the ancient Indian politicians found it convenient to carry on their deliberations on the footing of a *mandala* [5] According to Kautilya the *mandala* is usually constituted of twelve states or kings in the following order[6] · the five states in the five zones in front of the *vijigishu* or the central state are *ari* (enemy), *mitra* (friend) *ari-mitra* (enemy's friend), *mitra-mitra* (friend's friend), *ari-mitra-mitra* (friend of the enemy's friend) while the four states in the four zones in the rear are *pārsnigrāha* (rear-enemy, the literal meaning being heal-catcher) *ākranda* (rear-friend), *pārsnigrahāsāra* (rear enemy's friend) and *ākrandāsāra* (rear friends' friend). Besides these, two states adjecent to the central are called *madhyama* (medium) and *udāsina* (super) Thus the central state and its enemy together with those four states in the four zones on the side on which the enemy stands, and the four states in the four zones on the other side plus the medium and the super states constitute the *mandala*.

Śukra also discusses the circular inter-state relationship He seems to attach no improtance to the concept of the *madhyama* king, he does not mention him He, therefore, appears to classify the other kings only in three categories

ri (enemy), *mitra* (friend or ally), and *udasina* (indifferent
r super). Kings, according to Śukra are said to be situated
n the following order: in all sides first enemies, then the
riends, and then the indifferents. It appears that Śukra
ccepts the geographical basis of friendship or enmity as
vell as the theory that enemy's enemy is always a friend
He, however, does not tend to support the view that enemy's
riend should naturally be taken as a foe; he takes him rather
s an indifferent. The nearest neighbour is the greatest
nemy but those gradually receding from king's neighbo-
rhood are lesser enemies successively.[7] In the same extract,
he king is advised to check the ministers and servants who
re very proximate to him

ukra, however, accepts the general theory laid down by
Kautilya that the immediate neighbouring state in front
hould be assumed to be inimical A number of examples
ven from modern history could be cited to support this
iew. It has been argued that the enmity between France
nd Germany, between Poland and Russia, and between
hina and Japan before second world war were largely due
o their contiguity, which often caused conflicts of interests.[8]
he examples of enmity between India and Pakistan, India
nd China, even Russia and China, and Iran and Iraq from
oday's world could be cited to support the theory

ukra knows it well that there could be some causes other
han mere neighbourhood of the enmity between kings He,
herefore, following Kāmandaka, defines an enemy as the
nan who is a rival claimant of exclusive ownership over the
ame matter and is a destroyer of one's interests.[9] The cate-
ories of friends and foes based not on geographical situation
ut actions towards each other are also mentioned: the
iend and the enemy are of four kinds—one who does
ake others do, approves of, and helps in things that are
espectively beneficial and harmful[10]

Balance of Power

ukra fully realizes the significance of the theory of balance
in view the temporary nature of the
he advises the king to adopt the policies

The application of four—fold policy to the enemy is obviously different. The relationship of mutually not injuring and some times helping each other in needs is called *sāma* applied to an enemy. Pacification of the powerful enemy by paying tributes or annual incomes from definite tracts of land according to their strength and status is called *dāna* applied to a foe The separation or *bheda* of enemies is that which is due to making their friends powerless Similarly, a *danda* applied to enemy includes attack upon them, their riches and grains by dacoits or aggression upon them with powerful army and not stopping war if it has commenced Śukra suggests that these ways and policies are to be employed keeping in sight the ends one plans to achieve [15]

Śukra gives some directions also so as to apply the fourfold policy in different cases. He strictly forbids the application of partition and punishment to friends Alliance or *sāma* and gifts are to be adopted towards frinds never the policies of playing off one against another or punishment [16] A similar approach is to be adopted for one's own subjects as the state would be mined if *bheda* or *danda* policy is employed one should never rule his own subjects by the policies of separation or punishment but by those of peace and gifts. The state is likely to be mined through punishment and partition of one's own subjects [17] Here Śukra's approach should be appreciated that he does not make difference between friends and one's own subjects This view is supported by the same extract stating that the subjects are to be so governed that they can be neither too powerless nor too powerful A similar policy, as we have seen, is supposed to be adopted towards the friends by the king Śukra's equal treatment to friends and subjects exhibits his high sense of reality as disequilibrium in each of the both may lead to destruction.

No part of the four-fold policy however, is forbidden, unlike the friends and subjects, for enemies Some variations. are naturally to be made according to the status and strength of the enemy The general principle provides for application of peace, purchase, partition and penalty or punishment successively to the enemies : *sāma* is to be first adopted.

Then the policy of Purchase. The enemies have always to be played off against one another, and the policy of punishment is to be adopted in times of danger to existence.[18] Besides this general principle, Śukra mentions the conditions which require different types of means to be adopted for enemies having different degrees of strength. He advises application of only *sāma* and *dāna* to the first category of powerful enemies and *sāma* and *bheda* are to be applied to the enemy somewhat superior to oneself. The equals are to be treated with partition and punishment and only punishment is required if the enemy is inferior to oneself or powerless.[19] The method of war, however, is to be employed only as the last resort.[20]

The practicability of Śukra's suggestions is self-evident. One very well knows that the application of force against a stronger enemy is not likely to produce desired fruit, hence Śukra does not favour application of *daṇḍa* to both the superior types of enemy while *dāna* is not mentioned for the equal and inferior enemies. It is, however, strange that Śukra has not mentioned *bheda* to be adopted towards the enemy of the superior category

It is, however, remarkable that Śukra proposes the application of the same policy to the subjects of the enemy which he does for one's own subjects. He argues that application of partition and punishment by the enemy cause disaffection among their subjects and leads to one's success, hence one should win over these oppressed subjects of enemies, by the policies of peace and purchase. And, as a corollary to this, the talented but wicked men should always be banished.[20] This also proves Śukra's keen political sense as well as a synthesis of righteousnes and diplomacy as a liberal approach even to the defeated enemy's subjects is also favoured

Bhishma and Manu, like Śukra, also support the view that the method of *daṇḍa* should be applied only if the other devices meet with failure. Manu states . if they (the enemy) cannot be stopped by the three first expedients, then let him (the king), overcoming them by force alone, gradually bring them to subjection.[21] Bhishma also declares that one should

make use of three devices other than *danda* as far as possible.[22] Śukra is, thus, not only following the tradition but anticipating also the modern concepts of diplomacy which attempts to avoid war as far as possible

Significance of Bheda

Bheda, it is strange, has been eulogized by Śukra much more than any other part of the four-fold policy. The *vijigīsu* king is advised to adopt *bheda* and *samāśrya* (refuge with a stronger one) in order to defeat the enemy as these are best *upāya* and *sadguna*. He should adopt such means as lead to rivalry or conflict between the Commander-in-Chief and Councillors of the enemy, and strife among their subjects or women [23]

It is said that very powerful enemy should be satisfied by service and humiliation, the strong ones should be served by honours and presents and the weaker ones by wars. He should win over the equals by alliance or friendship and subjugate all by policy of separation There is no other means of subjugation the foe except by causing disaffection among their soldiers [24] It is, therefore, clear the *sāma* and *dāna* are preferred for one's own subjects and the friends as well as for the subjects of enemies; the *bheda* and *danda* are favoured to be applied mostly to the enemies and that too emphasizing the use of *bheda* leaving *danda* or war as the last resort. Only the most powerful enemy is to be treated with *sāma* and *dāna* as his anger, if aroused by any of the other two *upāyas*, may prove fatal.

Sadgunas or six attributes

Sadgunas—alliance or treaty, war, expedition, stationing, refuge and duplicity—are considered as important aspects of inter-state relations. These are essentially concerned with the preparation or fighting of war and, therefore, the last five have been discussed in the preceding chapter and do not need any repetition here. Alliance or treaty (*sandhi*) is not necessarily a result or cause or part of war ; it is essentially a diplomacy. Hence a separate discussion on this is warranted here.

Then the policy of Purchase. The enemies have always to be played off against one another, and the policy of punishment is to be adopted in times of danger to existence[18] Besides this general principle, Śukra mentions the conditions which require different types of means to be adopted for enemies having different degrees of strength He advises application of only *sāma* and *dāna* to the first category of powerful enemies and *sāma* and *bheda* are to be applied to the enemy somewhat superior to oneself. The equals are to be treated with partition and punishment and only punishment is required if the enemy is inferior to oneself or powerless.[19] The method of war, however, is to be employed onl as the last resort [20]

The practicability of Śukra's suggestions is self-evident O very well knows that the *application of force* against stronger enemy is not likely to produce desired fruit, he Śukra does not favour application of *daṇḍa* to both superior types of enemy while *dāna* is not mentioned for *equal* and *inferior* enemies. It is, however, strange Śukra has not mentioned *bheda* to be adopted towarc enemy of the superior category

It is, however, remarkable that Śukra proposes tl tion of the same policy to the subjects of the en he does for one's own subjects. He argues that a of partition and punishment by the enemy cause d among their subjects and *leads to one's success;* should win over these oppressed subjects of enem policies of peace and purchase. And, as a corol the talented but wicked men should always b This also proves Śukra's keen political sense synthesis of righteousnes and *diplomacy as a li* *even to the defeated enemy's subjects* is also f

Bhishma and Manu, like Sukra, also sup the *method of daṇḍa* should be applied devices meet with failure. Manu states cannot be he three first exp

being even a horse if the other side is more powerful Similarly, his suggestion of making treaty with the *anarya* king in order to protect oneself is realistic free from all prejudices of caste and creeds. His warning that an enemy, even after making the treaty, should never be completely trusted also exhibits his sense of history and human nature Even the modern diplomacy finds no direction of Śukra superfluous in the politics of today's world

Śukra's approach is nearer to that of Kautilya who has studied this problem even in more details Like Śukra, he also advises the king to accept the most humiliating terms in times of danger from a more powerful enemy and to wait for his opportunity to free himself from this servitude[31] Both the thinkers do not encourage the mood of chivalry when the existence and interests of the kingdom are in danger.

Attitude Towards Defeated ones

Kautilya has mentioned three types of conquests, *dharmavijaya* (satisfied with acceptance of suzerainty only), *lobhavijaya* (satisfied by getting land and tax etc) and *asuravijaya* (satisfied by not only annexation of the land but killing the whole family of the defeated king).[32]

Śukra, being a synthesizer of righteousness and practicability, appears to favour the idea of *lobhavijaya* when he states that the victorious king should realize revenue from the defeated one according to his capacity, he, some times, keeping in view the merit of the case, could make annexation of a portion or half or the whole of the conquered state to his own territories.[33]

He is advised to enter in the state made his own by war with the sounds of drums, *tūryya* etc. and protect like his childern the people thus on over and made one's own. He should change the member of the Council of Ministers and other important officers of the defeated country.[34] This is to be done perhaps in order to control the defeated king and to make his suzerainty felt by the people of defeated country.

It is remarkable that Sukra not only refrains from killing of the defeated king and his family but, on the contray, makes proper provisions for a respectful living of the same He proposes to grant maintenance beginning with the day of capture to the defeated king half of it to his son and a quarter to his wife.

Sukra offers one-fourth of the conquered territory to the son of the defeated king if he is well qualified; otherwise, he is to receive only thirty-second part of it.[35] This very much proves that the author of Śukranīti is not in favour of humiliating or annihilating the defeated king and his family. This liberal attitude is a good example of the humaneness of Indian politics. These concessions, however, are to be granted only if the defeated king is well behaved [36]

The king is permitted to have the treasure of the conquered state for his own enjoyment He, however, is advised to pay the interest of the half of the treasure to the defeated king until it accedes double of the amount so taken [37] This indicates that the treasure won by the king is to be considered as his personal property while the taxes and other incomes from the conquered territory ware regarded as revenue of the state. Here the view that the silver, gold or other booty belongs to him who wins it is justified. The king is advised to give them those things according to the labour undergone.[38]

The conqueror is asked to make all the efforts to gratify the subjects of the conquered king and establish a court of justice in one's own name[39] perhaps in order to make the people accept his authority in practice

Śukra also issues some directions to regulate conquerer's behaviour towards the employees of the defeated one He is supposed not to destroy the army of enemy's friend even if they are in danger [40] It appears that Śukra, by this deliberate act, desires to win over enemy's friend and thus inspire a partition between enemy and his allies This liberal attitude naturally would create soft feelings in the core of the heart of enemy's friend and he would not be a permanent enemy when the war is over. Similarly, Śukra does not allow a

territory very near one's own to be made over to others so as to stop it from becoming an enemy's base.

The employees of the conquered king, who have been alienated and are instrumental in serving one's purposes, should be maintained by good remuneration but those who are victims of cupidity and inactivity are to be maintained only by half remuneration. The well-qualified men, who have been deserted by the enemy, should be honoured and appointed on good remuneration.[41]

Śukra, thus, discusses each and every problem and leaves no important matter to be decided by king's discretion. The king, even in his attitude towards the defeated enemy and his virtuous employees, is supposed to follow certain principles which are not to be governed by king's whims And the principles laid down here, as we have seen, are in total confirmity with the furtherance of the material interests of the state as well as the principle of humaneness. Actually, for these principles, Sukra owes his gratitude to the Indian tradition which does not permit of the annexations of territory and killing of the defeated kings and their families but rather approves of their reinstalment if they are well-behaved and lays it down that in the case of their death or removal sameone related to their families should be made king of the conquered territory and the conqueror should satisfy himself by the annual tributes and recognition of his suzerainty. Manu, Kauṭilya, Yājñavalkya and other authorities generally subscribe to this view with minor differences not in any way deviating from the general principle.[42] It is strange that this was not only a theoretical presumption but was an actual practice. It has been pointed out that the travellers of the last centuries of the first millennium of Christ bear a witness to this peculiarly human method of conquest. Sulaiman, one of the travellers, has observed : When a king subdues a neighbouring state, he places over it a prince belonging to the family of the fallen king, who carries on the government in the name of the conqueror. The inhabitants will not suffer it to be otherwise.[43] Sukra, in no vague terms, declares : The king should maintain the dispossessed princes for the

display of his own majesty by the bestowal of honours if well-behaved but punish them if unliked [44]

Policy of the Dispossessed King

Śukra also lays down certain guide lines to be followed by a king who is either conquered or made to agree to enemy's conditions or dispossessed of his kingdom. He advises the king who is either defeated or made to surrender to the enemy to tolerate all humiliation in order to please the conqueror and to wait and prepare for the opportune moment for the revival of his glory. Sukra declares that the wise should place insult or humiliation in the front and honour or glory at the back in order to fulfil his desired object. It is folly to lose one's object The conquered king, therefore, is advised to inspire confidence in the enemy by various methods such as appearance with a sweet smiling face before him, soft words, confession of and repentance for guilt, praise, gifts, service, good offices and oaths etc.[45] He is advised to accept the terms and conditions that may satisfy the conqueror and study the defects and weaknesses of the enemy with the hope of overpowering him one day even at the expiry of a century. One should, says Śukra, wait guardedly like the cat and the fowler and by creating confidence extirpate the enemy.[46]

Even a dispossessed king should not give up the hope of recapturing his kingdom Śukra, in the first place, advises the king not to leave his place as teeth, nails, hair and kings do not look well when out of their proper situations. He (the king) if defeated, is advised to take shelter in the hill-forts in times of great danger and should attempt to recapture his kingdom. Śukra allows of his having recourse to violence and even robbery *(dasyuvṛtya)* to recover his kingdom [47] It is something very strange that even robbery is sanctioned as a means of recapturing the lost kingdom by the dispossessed king He is advised to be severe, active and unkind in the act of robbery but is advised not to be attached to others' wives and violate the girls of respectable families He is allowed by Śukra to seize all the wealth of enemies but one-eighth of the amount so taken is to be left for

rriages, sacrifices and charity etc. This robber king is vised not to live for ever in the same palace and never have nd faith in anybody.[48]

appears that Śukra here approves of a sort of guerrilla tics to be followed by a dispossessed king who is allowed even robbery to raise the means for his livelihood as well for necessary military operations to be attempted to recure his lost kingdom. That is why he advises the robber g to refrain from indulgence in vices unlike the ordinary coits and not to seize money kept for marriages, *yajñas* .

kra's advice to the conquered king except, of course, that having recourse to robbery—gets support from authorities e Kauṭilya and Bhishma. Kautilya has devoted a complete apter on the discussion on the attitude of a conquered ng[49] and Bhishma also narrates the story of *kālakavṛkstya ni's* advice to a prince dispossessed of his lands and hes.[50]

elations with the Feudatories

e policy of non-annexation of the conquered territory and nstatement of defeated kings or their relatives as recognion of the conqueror's suzerainty is bound to create feudary states within the large empire of the conqueror. Śukra so mentions feudatories paying tributes to the king but a tailed and clear-cut account of their relationship with the ng is not found in his *nītisāra* although some inferences, wever, could be drawn.

kra, describing the eight-fold functions of the king, menons 'conversion of princes into tributary chiefs' as one of s main functions[51] This very well proves the existence of udatories in Sukra's political system. It is, however, not ear what type of relationship is desirable between the king nd the feudatories, but he appears to regard them as semidependent rulers who, sometimes, could be so powerful as o cause the king making separate treaties with them in rises. Śukra, at one place, advises the king to enter into an lliance with his feudatories to protect himself from the

powerful enemy.[52] This shows a feudatory chief, not alway on the mercy of the king, playing a significant role not only internal but external affairs of the king.

Some ideas about the nature and status of different feudatory rulers could be drawn through a study of Sukra's description of the various kinds of rulers and their paraphernalia etc.[53] The lowest cader of the feudatories is called *sāmanta* who is said to be a ruler of one hundred villages with an income of one lac of silver *karshas* at minimum. The next category belongs to feudatories called *māndalika* who are given three hundred to one thousand villages with the respective increase in the annual revenue One who rules over one thousand villages to two thousand ones with an income upto twenty lacs of silver *karshas* is entitled to be called a king or *rāja* The *mahārājā* or Great king is required to rule over upto five thousand villages with an income of fifty lacs of silver *karshas* at optimum It has been suggested that the description of the kings called *swarāt, samrat, virāta* and *sārvabhauma* is an ideal one [54]

It, however, appears that the rulers of the cadre of *mahārājā* and sometimes above it are granted the status of an independent king by Śukra. He authorizes the *mahārājādi* rulers to remove the *sāmantādi* ones from their titles. The persons so removed are to be called *hīna sāmanta* and not *sāmanta* if maintained by the *mahājāja* and others at the same salary.[55] It is possible that the conquered kings and their heirs, if deprived of their kingdoms, should fall under this category. It is also to be noted in the same extract that a person appointed by the king to the assignment equivalent to that of *sāmanta* is not called by the same title—he is rather designated as '*anusāmanta* This indicates that a *sāmanta* is a ruler of some semi-independent status whereas the *anusāmanta* does not enjoy the same status and is an employee of the sovereign.

Śukra allots different kinds of royal signs and paraphernalia to different cadres of feudatories. A ruler of hundred villages or *sāmanta* is authorized to travel in a chariot driven by one horse with ten armed guards. The *maṇḍalika* or feudatory

over one thousand villages could travel in a palanquin, a chariot driven by two horses or an elephant with twenty guards where as the feudatory chief above this cadre is entitled to travel in the chariot driven by four horses and all other types of conveyances with a large number of guards etc.[56] This classification clearly indicates at least three grades under the suzerainty of *mahārājā*. It is to be noted that the rulers of large states in medievel and even modern times were called by *mahārājās* while their feudatories and lesser rulers were designated as *rāorājās* We could only imagine that Śukra would not object to or rather approve of feudatories giving their daughters to the kings, paying regular visits to the royal court, assisting their sovereign in war and performing such other duties according to their status as he does not attempt to a systemic and comprehensive discussion regarding the duties and functions of the same. It, however, appears that the feudatories are to rule in their territory, according to Śukra, in the name of their sovereign as the latter is advised to establish courts of justice in his name in the kingdoms he conquers.

Department of Inter-State relations

Śukraniti bents in favour of establishing an independent department of inter-state or external affairs headed by a minister called *mantrin*. He holds an important position in the Council of Ministers as he occupies fifth seat in the order of seniority.[57] He is made responsible for the deliberations, decisions and actions regarding the application of four-fold policy.[58] He is, therefore, required to be an expert in the theory and practice of *nītiśāstra*.

It appears that he is likely to be assisted in his work by *dūta*. The qualifications required in a *dūta* indicate that he should be well-versed in four-fold policy as well as six attributes (*sadgunas*) and should possess a clever tongue with retentive memory and boldness.[59] It is inferred that this *dūta* could serve as an ambassador to other states, although Śukra makes no mention of any embassy in his *nītisāra*. It is, therefore, possible that this *dūta* is to play the role of high—powered messanger or diplomatic mission to other

states in times of crises or grave matters He, because of this, perhaps, has not been mentioned as a regular member of the Council of Ministers by some other authorities

To conclude, it could very well be said that the author of *Śukranīti*, following the Indian tradition of diplomacy, has deeply studied the different aspects of inter-state and foreign affairs. His approach is mostly logical and realistic and like other authorities on diplomacy he does not believe in moral scruples swaying over the material interests of the state but at the same time the principle of humaneness is not altogether ignored. He appears as a synthesizer of the pragmatic humanistic approaches in order to solve the intricate problems of diplomacy One has to agree with the view that, the mere enumeration of these (four-fold) policies and the statement of the objects for which each is to be applied are sufficient to prove the high political sense of the Hindus. The society which could evolve the state-craft that Śukracāryā represents is certainly not that of a race bent solely on other-worldly activities.[60]

General References

1. *Śukranīti*, 1 6 1.
2. Kane P.V. [illegible]

7. *Śukranīti*, 4 1.19-22.
8. Altekar, A. S , State and Government in Ancient India p. 294
9. *Śukranīti*, 4 1 5.
10. *Śukranīti*, 4 1.1-2.
11. *Śukranīti*, 4 1 36.
12. *Śukranīti*, 4 1 23.
13. *Śukranīti*, 4 1 26
14. *Śukranīti*, 4.1.28-29.
15. *Śukranīti*, 4 1.31-35.
16. *Śukranīti*, 4.1 39.
17. *Śukranīti*, 4 1 41-42
18. *Śukranīti*, 4 1 37.
19. *Śukranīti*, 4 1.38
20. *Śukranīti*, 4.1.39-40
21. Manu, 7.108.
22. *Śantiparva*, 69.23.
23. *Śukranīti*, 4.7 69 23
24. *Śukranīti*, 4 7.184-188
25. *Śukranīti*, 4 7 238-39.
26. *Śukranīti*, 4 7.233-34
27. *Śukranīti*, 4 7 245-47
28. *Śukranīti*, 4 7 241-42
29. *Śukranīti*, 4.7 243-44.
30. *Śukranīti*, 4 7 247-48.
31. Majumadar, R.C., The Age of Imperial Unity, p. 316
32. [illegible]

43 Elliot and Dowson, History of India, Vol. I p. 7.
44 *Śukranīti*, 4 7 404-5.
45 *Śukranīti*, 4 7 364-66.
46. *Śukranīti*, 5.2-5
47. *Śukranīti*, 1 382-83
48. *Śukranīti*, 1.384-86
49 *Arthaśāstra*, 7 16.
50 *Śāntiparva*, 105
51. *Śukranīti*, 1 123-24
52. *Śukranīti*, 4.7 241
53 *Śukranīti*, 1 183-92 and 5 81-55.
54 Altekar, A.S State and Government In Ancient India p. 30
55 *Śukranīti*, 1 189-90
56. *Śukranīti*, 5 81-85.
57. *Śukranīti*, 2 75-77
58. *Śukranīti*, 2 95 96
59 *Śukranīti*, 2 57-58
60 *Śukranīti*, (tr B K Srakar) p. 129.

11

A General Estimate

A General Estimate

The *Śukranītisāra* thus appears, on the basis of the study attempted in the preceding chapters, one of the most significant works dealing with the political ideas and institutions of the Hindus. It shares, with all its freshness and originality of outlook, a longer and richer tradition of thought, philosophical as well as political It would be enlightening to see how the various philosophical and socio—political ideas of ancient Hindus are reflected in the *Śukranīti*

Philosophical Concepts and Sukranīti

Indian political thinkers, and not only those having religious or philosophical speculation as their main field, have always accepted philosophy as the true science guiding all other sciences. A truly political thinker like Kautilya regards philosophy (*ānvikshaki*) as the lamp to all kinds of knowledge, the means to accomplish all kinds of acts and the support of all the duties.[1]

Brahmavidyā has always been considered as the basis of all sciences. It is, therefore, natural that all other studies should look to it for inspiration and support it is the master science guiding other sciences, without which they tend to become empty and foolish [2]

Śukranīti, like other significant works on polity, also reflects some of the basic philosophical concepts in its discussion on various aspects of polity. One of the remarkably original idea of Śukra as a political thinker should actually be ascribed to his faith in the basic concepts acceptable to all the branches of philosophy except, of course that of Cārvāka system. The theory of *karma* and rebirth forms the central case of all these systems of Indian philosophy whether they owe their origin to *vedas* or to other authorities. All the branches of Hindu philosophy as well as that of Buddhists and Jains have

complete faith in the theory of rebirth base[...]
principle[3] It is remarkable that no political thi[...]
Hindus other than the author of *Śukranīti* and [...]
made any significant use of this theory Śukra wi[...]
freshness and originality of analysis, links this t[...]
that of the source of king's authority The king, w[...]
is the lord of this earth because of his deeds in the[...]
birth as well as of penances.[4] It is again said that th[...]
which is superior in every way to the mastery of ric[...]
fruit not of little austerities.[5] The kingship ther[...]
neither divine grace nor an agreement with the subj[...]
a fruit of one's good deeds in previous birth. This ass[...]
makes the kingship a spiritual responsibility failing [...]
one is likely to be naturally degraded in the ladder [...]
spiritual ascent.

Śukra expresses his faith in the doctrine of *karma* and r[...]
in connexion with non-political matters as well. He c[...]
that *karma* alone is the cause of one's good or bad [...]
(prosperity or adversity) Even that which is called *prāk*[...]
(i.e. comes from previous birth) is really man's own wo[...]
But his simultaneous faith in rebirth makes him someti[...]
a fatalist as he considers vices and virtues of this life a res[...]
of the deeds of previous birth[7] and declares that even sm[...]
exertions achieve good results when the Fate is favourabl[...]
otherwise, the great efforts fail to produce any good[8] Eve[...]
then one is advised to know from *śāstra* what is good an[...]
what is evil and to follow the good[9]

Śukra's classification of kings in three categories i.e. *sātvika*,
rājasika and *tāmsika*, also bears the influence of the concept
of *triguṇātmaka prakṛti* (three attributes of nature) as dev-
eloped in *sāmkhya* system of philosophy. *sattva* signifies
purity and refinement, *rajas*, activity and *tamas* stolidness.
Sāmkhya holds that not only physical reality but every thing
that emerges from it is similarly constituted.[10] Kingship,
being a part of the same, is also constituted on the same line
and Śukra, therefore, classifies the kings according to the
predominence of the one of the three attributes.[11] This type
of classification of kings is one of Śuk[...]
the realm of Hindu [...]

Impact of Hindu Theology

Śukra's discussion of *nitiśāstra* shows a remarkable impact of Hindu theology upon his thinking—although his state is not a theocratic one. It is to be noted that one of the eight main functions of the king, according to Śukra, is the performance of *rājasūya* and similar sacrifices[13] which form one of the basic parts of Hindu theology. The king, moreover, is supposed to possess attributes of different deities as described in Hindu *dharmaśāstras* *Indra* is protector of all, *vāyu* is spreader of scents, the sun, a dispeller of darkness and creator of light, *yama*, the punisher, *Agni*, the purifier and enjoyer of all gifts; *varuna* the sustainer of all things, Moon, a source of pleasure and *kuvera*, the god of wealth; the king of Śukra, like that of Manu and others, is supposed to be made out of the permanent elements of these gods.[13] This idea plus that of sacrificial duties of the king begin to gain prominence from the Vedic Times.[14] The king Trasadasyu exlaims. 'I am *Indra*, I am *Varuna*'. . . and on me (the gods) bestow those principal energies (that are) characteristics of *asuras*[15] The idea is further developed in the other scriptures[16] and is borrowed by Śukra also.

An unrighteous king, who is not a protector is liable to be ruined and cast down by gods. Śukra asserts that *tāmasika* type of king is a part of the demons and goes to hell[17] The ideas of hell and punishment by the gods, repeated again and again in *śukranīti*, are most popular elements of Hindu theology. Śukra also makes a rich mention of the mythological figures such as ravana, Yudhisthara, Sita, Bali, Duryodhana, Janmejaya, Aila, Batapi, Paulastya and others as examples to prove his theses

Hindu Sociology and Polity of Sukra

The political thinking of the author of *śukranīti* is highly influenced by the sociological speculation of the Hindus. Hindu sociology divides the society in four hierarchical *varnas*—*brāhman*, *kshtriya*, *vaiśya* and *śūdra* and assigns different duties to each of them called their *swadharma* Śukra, accepting this principle, assigns the duty of making people follow their respective *swadharma* to the state. Practising

one's own duty, according to Śukra, is the highest penance and the king is advised to make the subjects acquire the habits of performing their duties by the use of his terrible sceptre.[18]

The considerations of *varna* and caste also acquire much significance in the recruitment policy. Śukra sometimes adopts a liberal attitude for deserving persons of the *varnas* and castes other than the specified ones for various kinds of administrative, judicial and military jobs but no *śūdra*, whatever his qualifications might be, would be appointed to a higher post[19]

Sukra not only favours higher *varnas* but does not permit also of the socio-economic advancement of the *śūdras* He lays down the rule not only for recruitment of the *śūdras* but for their wages also and proposes to pay them as minimum as required only for their bare necessities with the declaration that the wealth that is stolen by the *brāhmaṇa* leads to good life hereafter and the wealth that is given to the *śūdra* leads only to hell[20] Thus the politico-economic thinking of the author or *śukranīti* is also coloured by the sociological prejudices of the Hindus

He, though theoretically agrees to the principle, as suggested by some scholars[21] that virtue and past merit, and not the birth, are the key to the origin of the class division but birth in a higher class is also a result of the good deeds of previous life according to the Hindu sociology and Śukra fully subscribes to this view by expressing his faith in the principle of *Karma* and theory of rebirth.

A remarkable sociological concept of the validity of popular social customs of various communities is also duly respected by Śukra. The king is advised to perform his duty by carefully studying the customs that are followed in countries and that are mentioned in *śāstras* as well as those that are practised by castes, villages, corporations, and families. Some examples of such customs are also cited[22] It is emphatically declared that an action which is religious but disapproved by the people does not lead to heaven.[23]

Tradition of political thought and Sukra's polity

The study attempted in the preceding chapters should supply ample evidence to prove that *Śukranītisāra* occupies a significant place in the gallery of the political treatises of the Hindus. The political thinking of the author of *Śukranīti* fits well in the broader scheme of Hindu polity. The principal ideas regarding origin of State, duties and functions of the king and his divinity, *saptāṅga* theory, administrative scheme, army administration, judicial procedure, taxation as well as *maṇḍal* theory and the four—fold policy including 'six attributes' are more or less borrowed from or developed on the basis of the earlier concepts propounded by Kauṭilya, Bhishma, Manu and others. The author of *Śukranīti* himself declares that he has prepared this treatise on the basis of the constructions of Manu and others[23] Bhishma, Kauṭilya, Nārada and Kāmandaka are although not quoted, their influence upon *Śukranīti* is proved beyond any doubt. *Śukranīti* has freely borrowed from all these sources and sometimes the passages are quoted without reference. The passages describing divine attributes of the king are alteration of the wellknown verses of Manu, the idea of the right of people to expell the unrighteous king and the notion about the influence of the king upon the time—spirit (Zeit—giest) remind one of the Bhishma's teachings. The idea of king's authority being a result of his past deeds is influenced by Nārada's doctrine that king's authority is derived from his own *karma*[24] The *saptāṅga* theory is basically Kauṭilya's thesis followed by almost all the political thinkers of posterity. A similarity between some of Śukra's verses and those of Manu and Kāmandaka are well—proved by scholars[25] This is not, however, suggested that Śukra lacks any originality and independent approach. He has borrowed or altered mostly those passeges of earlier writers which contain some basic principles of Indian polity. There was no use of boasting of originality or not accepting the principles with which the author broadly agreed. *Śukranīti* therefore, has been rightly called a treatise of *Arthaśāstra—Smṛti* tradition[27]

But Śukra, nevertheless, exhibits freshness and originality of outlook more than any other thinkers except Kauṭilya,

Bhishma and Manu. His doctrine of the basis of king's authority, classification of kings based on sankhya system of philosophy, fresh arguments about king's influence upon time spirit, description of the nomenclature and functions of the members of Council of Ministers, principles of budgeting of state's revenue and expenditure, account of the grades and income of different feudatories, protocol of the royal court, etc. supply more than sufficient evidence to prove his originality and independent approach. But all these ideas are in tune with the wider spirit of Hindu polity. *Śukranītisāra*, therefore, is rightly distinguished from all other late works on the subject by its originality and independence of thought on a number of important points.[28]

Civil Liberty and the State

The problem of individual liberty *versus* state authority does play an extraordinarily effective role in the present day polity. But Sukra and other Hindu thinkers do not perceive the problem in the fashion modern ones do. Śukra has not discussed the rights or liberties of individual but it does not mean that he is in favour of the oppression of individual liberty. The Hindus, it is strange, never emphasized the right of individual in socio—political affairs whereas the ultimate aim of life—the last of the *purushārthas* towards which all the activities are directed—*moksa* or salvation is entirely an individual attainment. The individual is left frees, therefore, in the realm of spiritual progress to follow the path according to his nature and capacity but in social practice his rights are merged with those of society. Sukra, therefore does not discuss the problem of individual's right *versus* the state's or king's authority.

against a tyrannical king is ascribed to the community under the leadership of the *purohita*[29]—a guardian of social law—whereas the individual if he feels oppressed, is given right to leave the kingdom.[30] The underlying principle here in both the cases reveals that king's authority is based as his righteousness—his protection of the people and punishment to the wicked—failing which he is not authorized to claim the loyalty and obedience of the subjects. As a single man could not successfully resist a king's oppressive policies the former is given the choice to desert the latter. But in case the oppression increases and the community is organized, their action of depositioning the unrighteous king is fully approved by Śukra.

Besides, the king is always warned by Śukra not to act sinfully. He is advised not to invite the wrath of gods as well as that of people. The acceptance of the validity of social customs and practices also tends to support the principle that the civil rights of the community should be respected by the state.

Śukra's attitude towards Morality

It has been pointed out that Śukra adopts a doublefaced attitude towards morality, he asserts on king's righteousness only as an abstract principle of government and observes that a righteous king is a part of the gods and the sinful one is that of the demons whereas in concrete policies of government and especially in the sphere of interstate relations his attitude towards moral behaviour is altogether reversed. It is, therefore stated that Śukra, while upholding the supremacy of ethics over politics as a general principle, helped in practice to perpetuate the long standing *arthaśāstra* of a more or less complete divorce of the one from the other.[31]

This estimate of Śukra's attitude towards morality appears to do some injustice to him. There is no doubt that Śukra approves of all means to be adopted in war and enmity; he appears to inculcate the principle of king's universal distrust and allow the king to confiscate the property of his subjects (thus implying the principle that the necessity of the state knows no law). But one should not overlook the circ-

mstances on the basis of which Śukra advises the policy to e followed by the king Śukra adopts the means other than moral ones only against the enemy as he knows that the tter is not bound to behave morally He never allows the olicy of partition and punishment to be applied to not only ne's own subjects but friends as well · alliances and gifts e to be adopted towards friends, never the policies of playing f one against another and punishment, and again he says th the assertion that one should never rule his own subjects the policies of separation or punishment but by those of ace and gifts[32] This implies that Śukra is in favour of opting *bheda nīti* which could be said most immoral only inst the enemy who is a regular cause of danger to his n existence Similarly he advises the king to confiscate property of the rich men only in the times of grave crisis h the promise that the same would be returned to them h due interest when the crisis is over.[33] This should in no e be called immoral And so far as the universal distrust he king is concerned it only warns the king against the ts and immoral persons and definitely does not provoke to be immoral in his own behaviour It should however, orne in mind that Śukra as an advisor to the king could automatically undo the compulsions of politics by preaag alone

s required to suggest the means to suppress the enemy ell as dangers from other immoral aggressions upon the and the state He appears to attempt a synthesis of the istic and pragmatic policies as far as possible He hownever advises the king to adopt any unrighteous means ersonal interests —his sole aim being the welfare of the The immorality of the king if we insist to call it so, is sanctified by the advancement of the state aiming otection of the people and punishment to the wicked

eral Remarks

tudy of *Śukranīti sāra* reveals that Hindu political thinspent their energy and time for spiritual as well as materterests of the mankind The treatises like *Śukranītisāra* [illegible] to the political genius of

the Hindus. It is a pleasant surprise to note that when the Indian politics was fallen to pieces before the invaders there appears a political thinker so fresh and original in his outlook and not deviating also from the rich tradition of *nītiśastra Śukranīti*, moreover, is not a book of theoretical discussion only; it supplies significant information and guidelines to be followed by any king having a desire to rule with success as well as meaningfulness The mutual obligations of the kings and their subjects, the qualifications and functions of ministers as well as other officials, the matters of public finance, judicial administration, military system with an account of the weapons and art of war and interstate relations—almost all the aspects of state affairs are studied with keen analysis and a high sense of reality and righteousness The village administration, no doubt, is not discussed in detail. We do not find a mention of the republics perhaps because of their disappearance from the political scene when the treatise was composed. Some interpolations —difficult to be pointed out—are also admitted Notwithstanding such shortcomings, the claim of the author of *Śukranītisāra* made in the last verses of the fourth chapter of the usefulness of the study of the same for the rulers (though admittedly boastful in saying that in the three worlds there is no other *nīti* like that of Śukra and others are worthless) in order to become competent to bear the burden of state affairs does not deserve to be brushed aside

General References

1. Arthaśāstra, 1 2
2. Radhakrishnan, S., Indian Philosophy, Vol. I p 23.
3. Dasgupta, S. N., The Cultural Heritage of India Vol III, p. 9
4. *Śukranīti*, 1 23
5. *Śukranīti*, 1 131
6. *Śukranīti*, 1 37.
7. *Śukranīti*, 1 45-45.
8. *Śukranīti*, 1 57-51.
9. *Śukranīti*, 1 59
10. Hiriyanna M., The Cultural Heritage of India, Vol. III, p 42.
11. *Śukranīti*, 1.29-35
12. *Śukranīti*, 1 123 24
13. *Śukranīti*, 1 71-76.
14. Apte, V. M., The Vedic Age, p. 430-31.
15. *Rigveda*, IV. 42.
16. Acharya, N. K., The Cultural Polity of the Hindus, p 73-74
17. *Śukranīti*, 1.86 and 120
18. *Śukranīti*, 1 24-25.
19. *Śukranīti*, 4 5 14
20. *Śukranīti*, 2 4 404-6.
21. Ghosal, U. N. A History of Indian Politcal Ideas, p 495
22. *Śukranīti*, 4 5 45-50
23. *Śukranīti*, 3 65
24. *Śukranīti*, 4 7.426
25. Ghosal, U. N. in The Struggle for Empire, p. 271-72.
26. Ghosal, U. N., A History of India Political Ideas p 495,517
27. Ghosal, U. N., A History of India Political Ideas p 506
28. Ghosal, U. N., A History of India Political Ideas p. 495
29. *Śukranīti*, 2 275-76
30. *Śukranīti*, 3 47.
31. Ghosal, U. N., A History of India Political Ideas, p 516.
32. *Śukranīti*, 4 1 39-42.
33. *Śukranīti*, 4 2 10-11

Bibliography

Original Sources

Agni Purāna, H Tr. Gita Press, Gorakhpur

Atharvaveda, M. Bloomfield, SBE Series, Motilal Banarasidas 1964.

Amarakośa, Ed. H.D Sharma and N G Sardesai, Poona, 1941

Kāmandakiya Nitisāra, Ed T. Ganapati Sastri, Trivandram, 1912 Venkateswara, Press, Bombay, V S 2009.

Kautilya's Arthaśāstra, Eng. Tr. R. Shamasastri, Mysore, 1951

Kumārsambhavam of Kalidasa, Sahitya Akademy New Delhi

Markandeya Purāna, Ed. K.M. Banerjee, Calcutta, 1962

Manu Smṛti, With Hindi Commentry by pt Hargovinda Sastri, Chaukhamba, Varanasi, 1952

Law of Manu (tr. G. Buhler) SBE Series, Vol. 25, Motilal Banarasidas, 1964

Nārada Smṛti, Tr. in Minor Law Books (J Jolly), SBE Series, Vol. 33, Motilal Banarasidas, 1977.

Nitimayūkha of Nilakantha Bhatta Gujarati Printing Press, 1921.

Mahabharata, H Tr 6 Vols., Gita Press, Gorakhpur.

Panchatantra, Ed S P. Pandey, Banaras, V.S. 1935

Rājatarangini of Kalhana Eng. tr. S.P. Stein, London, 1900

Rājaniti—Ratnakara of Chandeswara, Bihar and Orissa Research Society, Patna, 1936.

Rāmayana of Vālmiki, With Hindi tr. Gita Press, Gorakhpur

[illegible]

Ed. and tr. (Hindi) Pt Brahmasankar Misra, Chaukhambha Varanasi, 1963 (*followed in this study*)

Eng. tr. B K. Sarkar, second edition, Delhi, 1975 (*followed in this study*)

Sāmkhya Kārika. Eng. tr. H.T. Colebrooks, Bombay, 1924
Skandapurāna, Gita Press, Gorakhpur
Visunu Purana Gita Press, Gorakapur
Vishnu Smṛti Institutes of Vishnu (J. Jolly) SBE series, Vol. 7, Motilal Banarasidas, 1970
Yajnāvalkya Smṛti Chaukhambha, Banaras, 1968
Yuktikalpataru of Bhoja, Ed Iswar Chandra Sastri, Calcutta, 1917

Modern Works on Hindu Polity

Aiyangar, K V R Some Aspects of Ancient Indian Polity, Madras University, 1935.
Altekar, A S, State & Government in Ancient India, Motilal Banarasidas, Varanasi, 1977
Bandopadhyaya N C Development Hindu Polity & Political Theories, 2 parts, Calcutta, 1927–38.
Banerjee, P N, International Law & Customs in Ancient India Calcutta, 1920.
Bhandarkar, D R, Some Aspects of Ancient Indian Polity, Dacca University, 1941
Chakravarti P C, The Art of War in Ancient India, Dacca University, 1941
Chatterjea Hiralal, International Law and Inter—State Relations in Ancient India, Calcutta, 1958
Date, G T, The Art of War in Ancient India, 1929
Dikshitar V R R Hindu Administrative Institutions, Madras University, 1929
War in Ancient India Macmillan 1944
Ghoshal U N, A History of Indian Political Ideas, Oxford 1966 Contributions to the History of Hindu Revenue System, Calcutta University, 1929.
Jayaswal K P, Hindu Polity (Hindi ed), 2 Vols, Kasi Nagari Pracharini Sabha, V S 2012
Kane, P V History of Dharmasastras, Vol. III, (Hindi tr) Lucknow 1965
Law, N N, Aspects of Ancient Indian Polity, Oxford, 1921
Inter-State Relations in Ancient India, Calcutta 1920
Majumdar, B K The Military System in Ancient ... Calcutta, 1955

Majumdar, R. C., Corporate Life in Ancient India, Calcutta, 1918
Mookerjea, R. K, Local Government in Ancient India, Oxford, 1920.
Pannikar, K M., Ideas of Sovereignty and State in Indian Political Thought, Bombay, 1963
Prasad, Beni, The Theory of Government in Ancient India, Allahabad, 1927.
The State in Ancient India, Allahabad, 1928
Sarkar, B K, Political Institutions and Theories of the Hindus, Calcutta, 1939.
Sharma, R. S, Aspects of Political Ideas and Institutions in Ancient India, Motilal Banarasidas, 1968.
Sastri, J. LAL, Political Thought in the Puranas, Lahore, 1944.
Sinha, B P., Readings in Kautilya's Arthasastra, Delhi, 1976.
Sinha, H N., Sovereignty in Ancient Indian Polity, London, 1936.
Verma, V. P, Studies in Hindu Political Thought and Its Metaphysical Foundations, Motilal Banarasidas, 1975.

Indian History

Agrawal, V. S, Harshacharita . Ek Sanskritik Adhyayan, Patana, 1953
Basham, A L, Wonder That was India.
Bhandarakar, D R., Ashoka, Calcutta, 1932.
Bhattacharya, H, The Cultural Heritage of India Vols. II and III, Ramkrishna Mission Institute, Calcutta, 1969.
Kane, P. V., History of Dharmasastras 3 Vols. Hindi edition, Lucknow, 1965.
Keith, A. B, History of Sanskrit Literature, Oxford, 1953.
Law, N. N., Studies in Indian History and Culture, London, 1925
Majumdar, R. C., Vedic Age (edited).
Age of Imperial Unity (edited).
Classical Age (edited)
Age of Imperial Kanauj. (edited).
Struggle for Empire (edited).

Delhi Sultanate (edited).
—Bhartiya Vidya Bhawan, Bombay.
An Advanced History of India (edited with Datta and Raychaudhuri), Macmillan London, 1963.

Metraux, and Crouget, Studies in the Cultural History of India, (UNESCO), 1965

Mookerjee, R K, Asoka, London, 1928
Chandragupta Maurya and His Times, Madras, 1943
Hindu Civilization, London, 1936
Harsha, Oxford, 1926

Raychaudhuri, H C, Political History of Ancient India, Calcutta, 1950

Sastri, K A N, Age of the Nandas and Mauryas, Motilal Banarasidas, 1952.

Srivastava, A. L, The Sultanate of Delhi, Shivalal Agrawal, Agra, 1953.

Tripathi, R S, History of Kanauj, Banaras, 1937.

Vaidya, C V, History of Medieval Hindu India, 3 Vols., Poona, 1921-26.

General Works

Appadoral, A, The Substance of Politics, Oxford University Press, 1978.

Ashirvadam, A D, Political Theory 2 Vols (Hindi Edition) Lucknow, 1961.

Avasthi & Maheshwari, Public Administration, Agra, 1962

Dias, R. W. M, Jurisprudence, London, 1970.

Friedmann, W., Legal Theory, London, 1967.

Garner, J. W, Political Science and Governmeet, Calcutta, edition, 1951.

Gupta, R. S., And *M Radhaswami*, Advanced Accountancy, S. Chand & Sons, 1981.

Goodnow, F J, Principles of Constitutional Government, Harpers, 1916

Hicks, Ursula K, Public Finance, Cambridge, 1961

[illegible]

Sundharam, Andley, Public Economics & Public Finance, Delhi, 1981.

Warner, Richard A, The Principles of Public Administration, London, 1947.

White, L. D, The Civil Service in the Modern State, University of Chicago Press, 1930

Introduction to the Study of Public Administration, Macmillan, 1939.

Willowghby, W. F, Principles of Public Administration, Brookings Institution, 1939

Principles of Judicial Administration, Brookings Institution, 1939.

Journals

- —Annals of Bhandarkar Oriental Institute Poona
- —Bulletin of the School of Oriental & African Studies, London
- —Indian Historical Quarterly, Calcutta.
- —Indian Journal of Public Administration, Delhi.
- —Journal of Andhra Historical Society, Rajahmundry
- —Journal of Bihar & Orissa Research Society, Patana
- —Journal of Ganganatha Jha Research Institute, Allahabad.
- —Journal of Indian History, Trivandram
- —Journal of the Royal Asiatic Society of Bengal, Calcutta.
- —Nagari Pracharini Patrika, Banaras.

Dictionaries

- —A Sanskrit-English Dictionary —Monier Williams, Oxford, 1951
- —The Students Sanskrit-English Dictionary.
- —The Students English-Sanskrit Dictionary. V.S. Apte, Motilal Banarssidas, Varanasi, 1970.
- —The Hindi-English Dictionary, —Hardeo Bahri, Rajpal & Sons, Delhi, 1981.

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